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Illicit traffic in small arms

Report of the Secretary-General**

Summary

The present report provides an overview of the Secretary-General's broad-based consultations on illicit trafficking in small arms following the General Assembly's adoption by consensus of resolution 54/54 R of 1 December 1999. The report presents the results of meetings convened under United Nations auspices as well as those convened by regional and subregional organizations and by States or groups of States. Annex I to the report contains the views of a number of Member States on illicit small arms trafficking, in response to a note verbale transmitted by the Department for Disarmament Affairs. Also annexed are highlights of activities of various representatives of civil society on the issue of illicit traffic in small arms and a questionnaire transmitted by the Department to regional groups and organizations, research institutes and non-governmental organizations.

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I. Introduction

1. By its resolution 54/54 R of 1 December 1999 entitled "Illicit Traffic in Small Arms",[1] the General Assembly requested the Secretary-General to continue his broad-based consultations, within available financial resources and with any other assistance provided by Member States in a position to do so, and to submit to the international conference on the illicit trade in small arms and light weapons in all its aspects[2] information on the magnitude and scope of illicit trafficking in small arms and light weapons, measures to combat illicit trafficking in and illicit circulation of small arms and light weapons, and the role of the United Nations in collecting, collating, sharing and disseminating information on illicit trafficking in small arms and light weapons. As noted in the 1997 report of the Secretary-General on Small Arms, prepared by the Panel of Governmental Experts on Small Arms, illicit trafficking in weapons is understood to cover international trade in conventional weapons which is contrary to the laws of States and/or international law (A/52/298, annex, para. 57).

2. Pursuant to the request that the Secretary-General hold broad-based consultations on the issue of illicit trafficking in small arms,[3] the Secretariat addressed a note verbale to all Member States on 29 March 2000 inviting them to communicate their views on the issues outlined in resolution 54/54 R. The replies received are contained in annex I below.

3. The Department for Disarmament Affairs of the United Nations Secretariat invited regional groups and organizations,[4] and research institutes and non-governmental organizations[5] to submit their views. The views reflected in the replies received are presented in annex II to the present report. Annex III to this report contains the questionnaire which had been prepared for the 1999 United Nations regional workshops held in Lima (June 1999),[6] and Lomé (August 1999),[7] which was also sent to the above organizations.

4. The present report, while detailing the deliberations of several meetings held under United Nations auspices, provides an overview of other meetings convened by regional organizations and States as well as various activities organized or sponsored by a number of non-governmental organizations. While a number of these meetings did not focus exclusively on the phenomenon of illicit trafficking, the issue figured prominently in the discussions.

II. Meetings convened under the auspices of the United Nations

5. It is recalled that in his 1999 report on small arms, the Secretary-General observed that his broad-based consultations clearly pointed to the importance of understanding the differences in how the illicit trafficking in small arms was manifested over the widest range of subregions and regions. He further observed that there was a need for information on the matter from Member States, regional and subregional bodies, non-governmental organizations and members of civil society in the Asia-Pacific region, particularly in South Asia, South-East Asia and Western Asia, and in Europe, particularly in Eastern Europe, and for an opportunity for them to participate (A/54/404, para. 56).

6. In this context, regional meetings dealing with small arms were held under United Nations auspices during 2000 in South-East Asia and South Asia.

South-East Asia

Regional Seminar on Illicit Trafficking in Small Arms and Light Weapons, Jakarta, 3-4 May 2000

7. Co-hosted by the Governments of Indonesia and Japan and the United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific, the Jakarta Regional Seminar addressed illicit trafficking in small arms and light weapons from the perspective of the Association of South East Asian Nations (ASEAN) and the South-East Asian region. The 10 ASEAN government representatives (Brunei Darussalam, Cambodia, Indonesia, Lao People's Democratic Republic, Malaysia, Myanmar, Philippines, Singapore, Thailand and Viet Nam) participated in the Seminar. There were also several informal contributions by observer delegations from China, India, Japan, Pakistan, the Republic of Korea and the European Union.

8. The Regional Seminar was organized specifically along the lines of the regional workshops organized in 1999 by the Department for Disarmament Affairs and

the United Nations Regional Centre for Peace and Disarmament in Africa (Lomé) and the United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean (Lima). Participants discussed the three thematic areas identified in General Assembly resolution 54/54 R: (a) the magnitude and scope of illicit trafficking in small arms and light weapons (hereafter referred to as "small arms"); (b) measures to combat illicit trafficking in and circulation of small arms; and (c) the role of the United Nations in collecting, collating, sharing and disseminating information on the subject.

9. The Jakarta Regional Seminar marked the first opportunity that the small arms issue was discussed as a separate issue within the framework of ASEAN. An informal summary of the meeting was distributed by the host Government to all participants, while a formal summary was posted by the Department for Disarmament Affairs on its Internet web site.

10. With regard to the magnitude and scope of illicit small arms trafficking, it was generally agreed that while the problem of illicit trafficking varied within South-East Asia, it represented principally a challenge of transnational crime rather than one of conflict or post-conflict violence. Transnational crime syndicates, particularly drug traffickers, human smugglers and sea pirates, were perceived as the principal recipients of illicitly trafficked small arms and as threats to the legitimate authority and security of virtually all ASEAN States. At the same time, representatives at the Seminar felt that while their countries were neither the main sources of illicitly trafficked small arms nor the worst affected, they could not remain indifferent to problems posed by illicit trafficking.

11. The difficulty of law enforcement agencies and customs authorities in regulating or controlling illicit small arms trafficking was perceived to be attributable to the region's unique geographical characteristics. The sheer number of islands and the exposure of borders and frontiers, combined with the limited policing and border control capacities of individual States, were seen as central challenges. Moreover, the potential for illicit arms to be trafficked through open, legal migration among ASEAN members and commercial shipping was regarded as an enormous challenge.

12. Concerning measures to combat illicit trafficking, in view of the fact that transnational crime was widely perceived as the most insidious threat posed by the illicit trafficking in small arms in South-East Asia, strengthened law enforcement, intelligence-sharing and border and customs controls, with a particular focus on increased cooperation and exchange of information, were regarded as regional priorities rather than post-conflict disarmament. Several participants, however, also maintained that the issue of post-conflict disarmament was of significance in particular areas. The importance of ensuring that there were two complementary approaches in combating illicit small arms trafficking — one dealing with crime and law enforcement and the other dealing with disarmament and security — was also underlined.

13. All ASEAN members stressed the importance of cooperation of law enforcement agencies and customs authorities and information-sharing. In that context, representatives also urged increased technical cooperation and bilateral assistance between ASEAN and donor States. The representative of Thailand announced that it had recently established the International Law Enforcement Academy, with the aim of strengthening the operational capacity of law enforcement in various spheres.

14. As effective law enforcement required verifiable information, ASEAN representatives felt that there was a significant paucity of reliable information on illicit small arms trafficking and urged increased regional sharing of data via the ASEAN Association of Heads of Police (ASEANAPOL) database or another regional database. The discussions on the scope of illicit trafficking yielded insights into the leakage/diversion of small arms from legal to illicit sources. It was felt that more attention should be devoted to transparency measures and, to those ends, increased assistance for transparency measures on production, customs controls, non-forgeable end-user certificates and information-sharing to identify illicit arms traffickers.

15. It was proposed that regional cooperation in South-East Asia should be built upon existing mechanisms, including the ASEAN Plan of Action to Combat Transnational Crime adopted in 1999, the ASEAN Centre for Combating Transnational Crime (ACTC) and ASEANAPOL, as well as the Asian Regional Forum (ARF) mechanism. In that regard, the representative of the ASEAN secretariat noted the recent approval for the establishment of ACTC in the Philippines. It was suggested that ASEAN should create a work programme on combating illicit small arms trafficking within ACTC.

16. Participants viewed information-sharing on national measures, including legal and administrative provisions and procedures as crucial and recommended that it should be developed into regional confidence-building measures. Singapore called for the development of a mechanism that would include the voluntary declarations by Member States of weapons collected and destroyed as well as information provided by States on legitimate dealers and prosecuted traffickers. It also encouraged countries to begin making declarations of surplus small arms destroyed; such information could be collated and shared among all regional countries as it would form a useful transparency and confidence-building measure.

17. On the role of the United Nations in collecting, collating, sharing and disseminating information on illicit trafficking in small arms, possible areas in which the Organization could be of assistance to the ASEAN region were identified as the provision of technical assistance, direct support for weapons collection and destruction, the establishment and support of data collection, the promotion of use by ASEAN members of the INTERPOL Weapons and Explosives Tracking System (IWETS), and the continued support of the United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific.[8]

South Asia

Conference on Small Arms and Light Weapons Proliferation in South Asia, Kandalama, Sri Lanka, 20-23 June 2000

18. The Kandalama Conference was organized by the Colombo-based Regional Centre for Strategic Studies (RCSS) in collaboration with the Department for Disarmament Affairs and the International Security Research and Outreach Programme (ISROP) of the Department of Foreign Affairs and International Trade of the Government of Canada, which also provided funding. This was the first conference on small arms organized specifically for South Asia as a region; participants included diplomats from Ministries of Foreign Affairs and other government officials, active-service military officers, police officers, representatives of government and autonomous think tanks, senior researchers and NGO officials.

19. With regard to the extent of the proliferation of small arms in South Asia, it was felt that all countries of the region suffered from small arms proliferation, though to different degrees. From virtually none in 1980, there were now an estimated 7.73 million AK-47 assault rifles circulating in South Asia. The core of the weapons movements was the Afghanistan-Pakistan region, with Afghanistan the largest source of illicit weapons. In a rough estimate, it was said that over 80 per cent of the more than 200,000 people killed in the region were civilians unconnected with hostilities.

20. As concerns measures to combat small arms proliferation in the region, a number of proposals were aired during the Conference, including: (a) promoting domestic awareness of the issue; (b) developing activity by NGOs focused on small arms proliferation; (c) strengthening law enforcement agencies; (d) monitoring the inflow of weapons by improving border controls, including through the use of modern technology; (e) developing domestic restraint regimes for private manufacture; and (f) bringing illicit manufacturers gradually under official control. On the last point, in the light of the prevailing sensitivities towards curbing or abolishing illicit manufacture in some tribal areas, it was felt that a clientele relationship should be developed vis-à-vis such centres, with the prospect of government imposing production quotas on the centres and purchasing their equipment.

21. As small arms proliferation in South Asia was considered to be a regional problem, it was felt that regional or bilateral measures could be carried out on two levels: purely in the form of confidence-building measures between States, and through concrete joint measures to curb proliferation which might include (a) bilateral or multilateral collection and exchange of data; (b) cooperative monitoring of manufacturing centres; (c) exchange of data and information on domestic collection of weapons; (d) destruction of collected weapons in the presence of international and regional observers; and (e) cooperative border management.

22. On a possible role for the United Nations, it was suggested that cooperation and confidence-building in South Asia would be promoted through the establishment of joint programmes and training on border control which could be facilitated by the United Nations, building on the experience of the exchanges between regional officials of the Narcotics Control Board who have participated in joint programmes and training provided by the United Nations International

Drug Control Programme (UNDCP). Another role for the United Nations might be to establish a regional press and information centre that would facilitate the collection, analysis and dissemination of data on weapons smuggling. Still another role would be for the Organization to liaise with local institutions to facilitate the sharing of information.

23. Among the recommendations generally agreed upon at the Conference, there was a suggestion to develop a joint and cooperative border control and monitoring system between two or more countries. It was felt that this issue had to be studied carefully and clear proposals prepared for consideration. It was also felt that controlling proliferation had to be backed by domestic legislation and legal provisions, which were deemed currently inadequate in the countries of the region. A study on this aspect was necessary. It was also considered that South Asian views had not been adequately projected into international and United Nations initiatives and that consideration should be given to ways to improve international understanding of the concerns and problems of South Asia.

24. Regarding follow-on activities, it was decided that each country in South Asia would continue to pursue these issues in their respective areas. Another regional conference, structured along the lines of the Kandalama Conference but with the purpose of developing greater awareness of the issues in preparation for the 2001 United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, should be held in early 2001, possibly at the end of February, between the second (8-19 January 2001) and third (19-30 March 2001) sessions of the Preparatory Committee for the Conference.[9]

Conference on Conventional Arms in South Asia: Promoting Transparency and Preventing Small Arms Proliferation, Kandy, Sri Lanka, 23-25 June 2000

25. The Kandy Conference was organized by RCSS and held in collaboration with the Department for Disarmament Affairs and the University of Bradford, United Kingdom of Great Britain and Northern Ireland. Funded by a grant from the University of Bradford, the event was a follow-on to the Kandalama Conference, but with a reduced participation of primarily government officials or those involved with making policy in the area of conventional arms and small arms. Two principal issues were addressed: (a) developing a cooperative approach to address the question of small arms proliferation in South Asia, and (b) strengthening participation from the region in the United Nations Register of Conventional Arms (which does not include small arms). With regard to the small arms proliferation issue, the prospect of establishing a regional small arms register was considered but viewed as impractical at the current stage. Instead, the possibility of establishing a regional small arms information-sharing network was viewed as more practical. It was agreed that information-sharing should be the backbone of further activities in this area and that cooperation between law enforcement agencies on all sides was vital for ensuring deterrence against proliferation. Among the meeting's recommendations stress was placed on the need for dialogue and cooperation with neighbouring countries in view of the fact that small arms transfers also emanated from outside South Asia. It was also felt that a major think tank needed to evolve in each South Asian country to serve as a nodal agency for collating information on small arms.[10]

III. Meetings convened by regional and subregional organizations

26. In paragraph 2 of resolution 54/54 R, the General Assembly encouraged Member States to promote regional and subregional initiatives and requested the Secretary-General, within available financial resources, and States in a position to do so to assist States in taking such initiatives to address the illicit trafficking in small arms and light weapons in affected regions. The Assembly also invited the Secretary-General to utilize those initiatives as part of his consultations.

Organization of African Unity

27. The secretariat of the Organization of African Unity (OAU), in pursuance of its "Decision on the Illicit Proliferation, Circulation and Trafficking of Small Arms and Light Weapons", adopted at the Algiers Summit in July 1999 (AHG/DEC.137 (LXX)),[11] organized two preparatory meetings in May and June 2000 in the lead-up to the ministerial Conference, which is envisaged to be held at Bamako in late November 2000. In its decision, OAU had requested its secretariat "to seek the support of the relevant United Nations agencies and other actors

concerned, so as to evolve an African common approach".

First Continental Meeting of African Experts on Small Arms and Light Weapons, Addis Ababa, 17-19 May 2000

28. In its implementation of the July 1999 OAU decision, the OAU secretariat, with the support and collaboration of the Institute for Security Studies (ISS) (Pretoria) and the cooperation of the United Nations Regional Centre for Peace and Disarmament in Africa and the assistance of the Eminent Persons Group on Curbing Illicit Trafficking in Small Arms and Light Weapons, convened the First Continental Meeting of African Experts on Small Arms and Light Weapons at Addis Ababa from 17 to 19 May 2000.[12] Support for the meeting was provided by the Governments of the Netherlands, Sweden and Switzerland. Participants included experts from African countries, the International Commission of Inquiry (Rwanda), the United Nations Institute for Disarmament Research (UNIDIR), the United Nations Children's Fund (UNICEF), the Economic Community of Central African States (ECCAS), the European Union (EU), the Intergovernmental Authority on Development (IGAD) in Eastern Africa, the Organization for Security and Cooperation in Europe (OSCE), the Southern African Regional Police Chiefs Cooperation Organisation (SARPCCO), the Programme for Coordination and Assistance on Security and Development (PCASED), the International Committee of the Red Cross (ICRC), the Bonn International Centre for Conversion (BICC), the Norwegian Initiative on Small Arms Transfers (NISAT) and the Security Research and Information Centre (SRIC).

29. Under the agenda item entitled "Towards a coordinated African approach: elements for an African common position", the meeting of experts approved recommendations related to (a) prevention and reduction of illicit proliferation and trade in small arms and light weapons, and (b) policy, institutional arrangements and operational measures for addressing illicit proliferation, circulation and trafficking of small arms and light weapons. Among the preventive measures discussed was the review and enhancement of national legislation governing the manufacture, trade, brokering, possession and use of firearms and ammunition. The meeting agreed that standardization would enhance international efforts. It called upon OAU and/or subregional bodies such as the Economic Community of West African States (ECOWAS), ECCAS and SADC to review and enhance national legislation with a view to achieving greater harmonization. Common standards could include those of marking, registers and controls governing imports, exports and licit trade. The meeting also called upon the supplier community to render all necessary assistance to African initiatives to control and reduce arms proliferation and the illicit trade, and for a dialogue with supplier countries in that regard.

30. Among the reduction measures recommended, the meeting expressed support for the identification of surplus and obsolete stocks of licit and illicit small arms and destruction of surplus, obsolete and captured material. It also pointed to the important role that the international community could play regarding the destruction of arms since the process was deemed to be expensive. It further agreed that the civilian possession of military-style arms (automatic and semi-automatic, etc.) was "unacceptable". The meeting also supported joint operations for the identification, removal and destruction of illicit arms and ammunition caches in post-conflict environments.

31. Under the item entitled "Policy, institutional arrangements and operational measures for addressing illicit proliferation, circulation and trafficking of small arms and light weapons", the meeting considered common elements that might enhance the African capacity to coordinate policy, increase the capacity of existing institutional arrangements to address illicit proliferation, circulation and trafficking in small arms, and to ensure the implementation of common actions to resolve the arms problem. It recommended that OAU member States should focus on three key areas: coordinated approaches, institutional arrangements and operational measures. With regard to the coordinated approach, the meeting recommended the early establishment, of national coordinating agencies or bodies on small arms issues in all OAU member States, as well as the establishment of regional information exchange mechanisms with a view to sharing information on items such as captured and seized illicit weapons and supporting common actions on combating cross-border arms traffic. The existing police and security organizations could develop these regional information exchanges and improve their information exchange capacity.

32. Among the recommendations concerning institutional arrangements, the meeting recommended the improvement and strengthening of the capacity of law enforcement and security agencies to address all aspects of the arms problem, including the capacity of all relevant agencies such as police, security and armed forces, judicial, customs and immigration. Among its recommendations on operational measures, the meeting recommended the establishment of national and regional databanks on all aspects related to the arms problem, which could be linked to the coordinating bodies and work closely with the Regional Police Chiefs Secretariats (INTERPOL offices), particularly on the control and impact of those arms.

International Consultation on the Illicit Proliferation, Circulation and Trafficking in Small Arms and Light Weapons, Addis Ababa, 22-23 June 2000

33. The next phase in the implementation of the July 1999 OAU decision was the 22-23 June 2000 international Consultation, which marked an opportunity for OAU to consult with other actors, namely United Nations agencies, African regional organizations and NGOs. The meeting was convened by the OAU secretariat, with the support and collaboration of ISS and in cooperation with the United Nations Regional Centre for Peace and Disarmament in Africa.

34. The objectives of the Consultation were to elicit the views, comments and suggestions of United Nations agencies, the secretariats of African regional organizations and NGOs on: (a) the priorities in tackling the problem of the illicit proliferation, circulation and trafficking in small arms; (b) the proposals contained in the report of First Continental Meeting of African Experts; and (c) the ways in which these proposals and their implementation could be strengthened.

35. The Consultation reached a number of conclusions and recommendations covering national, regional, international and civil society priorities and needs in relation to the control and reduction of small arms proliferation in Africa. It also produced a detailed list of comments on the report of the Continental experts meeting in May and additional issues which participants felt should be considered OAU in preparing for the ministerial Conference in Bamako. For example, on the agenda item entitled "Regional initiatives and priorities on illicit proliferation, circulation and trafficking in small arms and light weapons", participants urged OAU to develop a coordination mechanism that could assist civil society, international and regional organizations and member States to work together for the common goal of controlling and reducing the illicit proliferation, circulation and trafficking in small arms.

36. On the item dealing with international priorities on small arms proliferation and the illicit arms trade, participants felt that the best way to deal with the comprehensive nature of the arms problem was to regulate the trade in small arms in all its variations, and not just the illicit trade in arms by non-State actors. On the role of civil society in the prevention, management and reduction of small arms proliferation and illicit trade in Africa, the participants recommended that OAU and African governments should explicitly call for the involvement of NGOs in the 2001 Conference. Participants also called on all OAU member States to develop partnerships with organizations of civil society on all programmes to control arms and their effects.[13]

Organization for Security and Cooperation in Europe

Seminar of the Forum for Security Cooperation on Small Arms and Light Weapons, Vienna, 3-5 April 2000

37. At its November 1999 Istanbul Summit, OSCE adopted decision 6/99, which mandated its Forum for Security Cooperation to draw up an action plan and hold in spring 2000 a seminar on small arms "devoted to the examination of concrete measures". The seminar was to address, inter alia, the illicit traffic in small arms and light weapons, existing weapons stocks, production and export restraint, and small arms measures within disarmament, demobilization and reintegration.

38. Discussion at the April 2000 Seminar focused on four working sessions on the following topics: norms and principles (chaired by France); combating illicit trafficking (Russian Federation); reduction of existing stocks (United States of America); and post-conflict stabilization (Finland). In Working Group II on combating illicit trafficking, while all participants agreed that national export controls needed to be clear and rigorously enforced, there was a difference in

approach between those who wanted to strengthen existing mechanisms and encourage cooperation between States in their implementation and those who wanted to go further, generating greater transparency and establishing mutual norms. A number of specific elements were outlined by several delegations relating to control over manufacturing and transfer procedures: (a) State sanctioning of the manufacture of small arms; (b) proper regulation and authorization of brokering activities; (c) legislation to impose penalties for United Nations or other embargo violations; (d) legislation to establish illicit trafficking as a criminal offence under domestic law; (e) no transfer of inadequately marked weapons; (f) an effective system for the licensing of import, export and transit of weapons; (g) no transfer until the receiving State issues the corresponding authorization; (h) no retransfer without authorization from the original exporting State; (i) an authenticated system of end-use and end-user certificates; (j) verification procedures for end-use certificates; (k) adequate record keeping; and (l) inter-agency cooperation at the national level to coordinate policies.

39. A number of delegations considered that OSCE could play a role in establishing best practices for export control procedures through the exchange of information on national practices. One delegation raised the possibility of establishing an OSCE manual of best practices. Another noted that information exchange on legislation was already taking place in at least one subregion, as were bilateral exchanges of technical information relating to export controls. Participants agreed on the importance of cooperation between States in export control practice and law enforcement. Suggested areas for cooperation included: (a) tracing; (b) identifying routes used in illicit trafficking; (c) providing mutual legal assistance; (d) close cooperation between law enforcement and customs officials and regional and subregional training programmes; and (e) technical and financial assistance for the improvement of enforcement agencies.

40. The final part of the Working Group II session was devoted to the consideration of confidence-building and transparency measures. A few participants noted that information exchange should not be considered an end in itself but rather as a tool in combating illicit trafficking. Several delegations noted the value of exchanging information on: (a) national practices and legislation; (b) confiscation and destruction of illicitly trafficked weapons; (c) official agents; and (d) authorized brokers. Several participants also pointed to the value of information-sharing relating to holdings, legal transfers and transfer denials of small arms and light weapons.[14]

41. A Survey of Recommendations was tabled at the April seminar on: (a) enhancing the role of OSCE in the small arms issue; (b) strengthening transparency; (c) the marking, identification and control of small arms; and (d) strengthening export criteria. One of the recommendations put forward for enhancing the role of OSCE suggested that OSCE could adopt a comprehensive stand-alone document incorporating agreed norms and principles in the field of small arms. On strengthening transparency, it was recommended, that OSCE could facilitate an exchange of data on national legislation and regulation, particularly with regard to small arms export controls. It was also suggested that an annual small arms registry could be developed that could include data on end users, authorized manufacturers, traders, brokers and prosecuted individuals. Among the recommendations on marking, it was suggested that OSCE could agree on common standards for marking, record keeping and tracing of military and State-transferred small arms; OSCE could also agree to support efforts in other forums, including the United Nations, to agree on a common system on weapons marking and tracing. On strengthening exportation criteria, it was recommended, that OSCE should agree and adopt joint standards for the security and destruction of small arms held by the public sector, and that participating States could institute a "security deposit" system for weapons purchases that would be returned when verification showed that the weapons had been delivered to the designated end user.

42. Following the April seminar the Forum for Security Cooperation began negotiations on an OSCE document on small arms focusing on norms and principles as well as confidence-building and transparency measures. The document is to be adopted at the meeting of the OSCE Ministerial Council in Vienna on 27 and 28 November 2000 and is to be used as a contribution to the preparation work for the 2001 Conference.

Organization of American States

43. Following deposit of the tenth instrument of ratification to the Inter-American Convention Against

the Illicit Manufacturing of and Trafficking in Firearms, Explosives, and Other Related Materials[15] on 9 November 1999 by the Government of Nicaragua, and in accordance with article 20 of the Convention, the States parties established a Consultative Committee whose tasks include encouraging cooperation between national liaison authorities, promoting the exchange of information on domestic legislation and administrative procedures of States parties and requesting information from States non-parties on illicit trafficking of and trafficking in firearms, ammunition, explosives and other related materials. Officially established on 9 March 2000, the Consultative Committee adopted a programme of work for 2000-2001 that includes the elaboration of a list of relevant national authorities and points of contact; a list of central authorities to facilitate legal assistance activities; and a questionnaire on actions taken by member States to implement the Convention. Prepared by OAS and transmitted to OAS member States and signatories to the Convention, the questionnaire will assist the Committee in defining future actions to be taken to strengthen and fully implement the Convention.

44. By its resolution AG/RES.1743 (XXX-0/00) of 5 June 2000, entitled "Declaration on Small Arms and Light Weapons", the OAS General Assembly requested the Permanent Council through its Committee on Hemispheric Security to study the feasibility of developing a declaration on all aspects of the excessive and destabilizing accumulation and transfer of small arms in the context of the work being carried out by the United Nations in relation to the 2001 Conference, and to request the OAS Secretary-General to transmit the resolution to the Secretary-General of the United Nations.

Seminar on the OAS/CICAD Model Regulations for the Control of the International Movement of Firearms, Their Parts and Components and Ammunition: Central America and the Caribbean, Fort-de-France, Martinique, 23-24 May 2000

45. In June 1998 the General Assembly of OAS adopted the Inter-American Drug Abuse Control Commission's (CICAD) Model Regulations for the Control of the Illicit Trafficking of Firearms, Their Parts and Components and Ammunition. The OAS General Assembly also recommended that joint efforts should be made with other international organizations to promote international cooperation on the subject (AG/RES.1642 (XXIX-0/99)). On the basis of that recommendation, CICAD and the United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean organized two seminars to build awareness of the States members of CICAD on the necessity to legislate on the matter of firearms, ammunition and their parts and components in conformity with the Model Regulations. The first of these seminars was held on 23 and 24 November 1999 in Lima, for the countries of South America, Brazil and Mexico. The second was held on 23 and 24 May 2000 at Fort-de-France, Martinique, for the Caribbean and Central American countries. The Inter-Departmental Anti-Drug Training Centre of France acted as host for the seminar.

46. The following OAS member States participated in the Fort-de-France seminar: Antigua and Barbuda, Bahamas, Barbados, Belize, Canada, Costa Rica, Dominica, Dominican Republic, El Salvador, Grenada, Guyana, Haiti, Jamaica, Panama, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Suriname, and Trinidad and Tobago. Observers from Brazil, Cuba, France, Japan and the United States also participated. Cuba was represented at the seminar at the invitation of the United Nations. International organizations included UNDCP, the Association of Caribbean Commissioners of Police, the Caribbean Customs Law Enforcement Council and the Project Maritime Office.

47. At the Fort-de-France seminar there was considerable interest among States in applying the Model Regulations to improve the control of trafficking in firearms, their parts and components and ammunition and, where necessary, to supplement their own legislation. Almost all States expressed support in implementing the system within their national legal systems. Another element of interest in the Model Regulations was the requirement to share certain information such as cancellation of certificates and the reporting of irregular shipments. Concern was also expressed with regard to the illegal importation of firearms. It was expected that the Lima and Fort-de-France seminars would facilitate OAS member States' analysis of their own legislation to determine any deficiencies vis-à-vis the Model Regulations and thereby ensure their application in practice.[16] CICAD and the United Nations Regional Centre are developing a Memorandum of Understanding to facilitate the

development of databases and the organization of joint training courses for 2001.

Southern African Development Community

Summit of Heads of States and Government of the Southern African Development Community, 6-7 August 2000, Windhoek

48. In 1999, in pursuance of its decision on the prevention and combating of illicit trafficking in small arms and related crimes,[17] the 14-member Southern African Development Community (SADC) established a working group on small arms to elaborate a SADC policy on small arms. One of its members, the Southern African Regional Police Chiefs Cooperation Organisation (SARPCCO), was mandated to draft a protocol and the programme for its implementation.

49. In April 2000 the SADC working group was presented with the text of a draft Protocol on the Control of Firearms, Ammunition and Other Related Materials. During the SADC Summit of Heads of States and Government at Windhoek, the SADC Council of Ministers considered the progress that had been achieved on the Draft Protocol and decided that the SADC working group should continue with its deliberations on finalizing the terms of the Protocol. Once adopted and subsequently ratified by SADC member States, the Declaration and the Protocol will be a binding instrument. The Council of Ministers also noted the related SADC Operational Programme on Prevention, Combating and Control of Illicit Trafficking in Small Arms and Light Weapons which is aimed at facilitating the operationalization of the Protocol. In addition, the Council of Ministers recommended for signature a Declaration on Firearms, Ammunition and Other Related Materials.

Stability Pact for South-eastern Europe

Conference on export controls, Sofia, 14-15 December 1999

50. At the invitation of the Government of Bulgaria, a Regional Conference on Export Controls was held at Sofia on 14 and 15 December 1999 under the auspices of the Stability Pact for South-Eastern Europe and co-sponsored by the Government of the United States of America. Twelve countries from South-eastern and Central Europe participated in the meeting, together with representatives of the Stability Pact Special Coordinator, the OSCE Chairman-in-Office, the European Commission and the Wassenaar Arrangement.

51. In a Joint Declaration on Responsible Arms Transfers, the participating countries, while reaffirming that the sale of arms was a legitimate aspect of international trade, shared the goal of preventing and combating illicit arms trafficking, in particular of small arms and light weapons, especially through concrete measures in the region. They reaffirmed their respective commitments in the field of arms transfers to abide by the relevant standards and decisions of the United Nations, OSCE, EU and other international organizations and institutions, as applicable, and to incorporate those standards and decisions, as needed and appropriate, in their national legislation and practice. The participating countries declared their readiness to expand information-sharing on transfers of arms, to exercise maximum restraint in transfers to areas of conflict and to refrain from sales of arms and dual-use goods and technologies to irresponsible end users and for irresponsible end uses.

52. In a Statement on Harmonization of End-Use/End-User Certificates, the participating countries in the Sofia Conference declared their readiness to develop harmonized information for end-use/end-user certificates, in line with best existing practices, to be used for items that are subject to export controls. Sharing the understanding that end-use/end-user certificates issued on the basis of best existing provisions and practices would further reduce the danger of illegal transfers, the countries believed that the minimum information required in all end-use/end-user certificates was the following: name and address of foreign end user; end use, as applicable; country of ultimate destination; commodity and its description; quantity; intermediate consignees and purchasers; and review or certification by the respective government institution. They also underlined the need to minimize the number of government institutions and officials authorized to issue and sign end-use/end-user certificates. The names of the institutions and officials authorized to issue end-use/end-user certificates would be communicated to other Governments to help them

verify end-use/end-user certificates upon their request.[18]

Workshop on Small Arms and Light Weapons: Possible Contribution to the Stability Pact for South-eastern Europe, Ljubljana, 27 January 2000

53. Sponsored by the Government of Slovenia, the Ljubljana Workshop was organized in the framework of the follow-up activities since the first meeting of the Working Table on security issues held at Oslo in October 1999. A total of 29 countries involved in the Stability Pact participated together with representatives of the Special Coordinator of the Stability Pact, the European Commission, the OSCE Chairman-in-Office and the North Atlantic Treaty Organization (NATO). Also among the participants were representatives of non-governmental organizations such as ICRC, International Alert (London) and Saferworld (London). According to the Chairman's summary of the Workshop, the uncontrolled or illegal transfer of large numbers of small arms and light weapons was deemed to have contributed to the tensions, conflicts and instability in the region. Special emphasis was placed on the connection between the uncontrolled spread of small arms and terrorist activities or organized crime.

54. A proposal was made to increase the transparency of arms transfers by expanding the United Nations Register of Conventional Arms to include small arms. It was reiterated that the surplus small arms ought to be destroyed, not just stored or sold. Several speakers stressed the need for greater cross-border and enhanced regional cooperation, for the strengthening of existing structures and related legislation in the countries of the region and for financial support for equipment and training of relevant enforcement agencies, for safe storage and destruction of small arms and ammunition, as well as for conversion of the excessive or obsolete production facilities. There was general agreement that a suitable regional approach would be useful.[19]

Meeting of the Working Table on Security Issues of the Stability Pact for South-eastern Europe, Sarajevo, 15-16 February 2000

55. According to the Chairman's Conclusions of the Sarajevo meeting, the Working Table on Security Issues, in line with the findings of the Ljubljana Workshop, decided to focus on the collection, destruction and safe storage of small arms. Slovenia and Bulgaria separately proposed the establishment of a regional fund for the destruction of small arms, the former Yugoslav Republic of Macedonia presented a detailed proposal to collect, secure and destroy small arms in Albania, the former Yugoslav Republic of Macedonia, and Kosovo, Federal Republic of Yugoslavia. NATO and OSCE proposed the establishment of a destruction facility in Albania to destroy large amounts of the ammunition stockpile. The United States and Norway offered to send technical assessment teams to countries of the region and to provide financial assistance for destruction. Germany also offered its technical and financial assistance in the area of destruction.[20]

South Pacific Forum

Meeting of the South Pacific Chiefs of Police Conference (SPCPC) and the Oceania Customs Organisation (OCO) subcommittee, Nadi, Fiji, 9-11 March 2000

56. The SPCPC/OCO subcommittee, which drafted the Honiara Initiative on a common approach to weapons control dealing with firearms, parts of firearms, illicit manufacture, illicit trafficking and licensing requirements, met at Nadi, Fiji, from 9 to 11 March 2000 and drew up the Nadi Framework, under which the following principles were adopted: (a) to confirm that the possession and use of firearms, ammunition, other related materials and prohibited weapons is a privilege conditional on the overriding need to ensure public safety; (b) to improve public safety by imposing strict controls on the import, possession and use of firearms, ammunition, other related materials and prohibited weapons; and (c) to approve work to be undertaken to produce a model law on weapons control and recommend that the South Pacific Forum member countries adapt the model legislation to their domestic legislation.[21]

IV. Meetings convened by States or groups of States

Great Lakes Region and Horn of Africa Conference on the Proliferation of Small Arms, Nairobi, 12-15 March 2000

57. Hosted by the Government of Kenya, the Conference, the first gathering of its kind in the subregion, adopted the Nairobi Declaration on the Problem of the Proliferation of Illicit Small Arms and Light Weapons in the Great Lakes Region and the Horn of Africa (A/54/860-S/2000/385). Participants in the Conference included the representatives of Burundi, the Democratic Republic of the Congo, Djibouti, Ethiopia, Eritrea, Kenya, Rwanda, the Sudan, Uganda and the United Republic of Tanzania.

58. Under the Declaration, participants decided to ensure that all States in the subregion had in place adequate laws, regulations and administrative procedures to exercise effective control over the possession and transfer of small arms. The participants urged source countries to ensure that all manufacturers, traders, brokers, financiers and transporters of small arms and light weapons were regulated through licensing, and called upon States to strengthen subregional cooperation among police, intelligence, customs and border control officials in combating the illicit circulation and trafficking in small arms and suppressing criminal activities relating to the use of those weapons.

59. The participants also decided to invite the United Nations, in cooperation with OAU and other regional and international organizations, to assist countries of the region in carrying out a detailed study on the problem of illicit arms within the region and to draw up appropriate programmes for the collection and destruction of illicit small arms and light weapons. Recognizing that the effective implementation of the Declaration by States required the cooperation of the United Nations, international organizations, and regional organizations as well as the participation of civil society in preventing and reducing the problem of illicit small arms and light weapons, the participants further decided to call for effective implementation of the relevant decisions of the United Nations, OAU and other regional arrangements to address the problem of illicit small arms in the subregion and to designate the Government of Kenya to coordinate the follow-up to the Nairobi Declaration in consultation with the respective national mechanisms of States dealing with the problem of illicit arms.[22]

Workshop on Stockpile Management and Security of Small Arms and Light Weapons, Thun, Switzerland, 16-17 March 2000

60. The Thun Workshop was organized by the General Staff of the Swiss Armed Forces and included participants from Albania, Austria, Azerbaijan, Belarus, Canada, the Czech Republic, France, Georgia, Hungary, Lithuania, NATO, the Republic of Moldova, Romania, Slovenia, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, the United Kingdom and Ukraine. Its goal was to contribute to the implementation of the work programme of the Euro-Atlantic Partnership Council (EAPC)/Partnership for Peace (PfP) Ad Hoc Working Group on Small Arms and Light Weapons. As one of three priorities of the Working Group,[23] stockpile management and security was seen as an effective and rapid measure to reduce the proliferation of small arms. The Workshop's objective was to provide a platform for the exchange of information and experience between EAPC/PfP countries, with particular attention to national challenges and solutions in the fields of stockpile management and security. An effort was also made to demonstrate practical solutions and identify potential fields of cooperation between EAPC/PfP countries.

Second Ministerial Meeting of the Human Security Network, Lucerne, Switzerland, 11-12 May 2000

61. At the invitation of the Head of the Swiss Federal Department of Foreign Affairs, the second Ministerial Meeting of the Human Security Network was convened at Lucerne, Switzerland, on 11 and 12 May 2000. The informal Network developed from a Canadian-Norwegian initiative in 1998 and, together with Switzerland, includes Austria, Canada, Chile, Greece, Ireland, Jordan, Mali, the Netherlands, Norway, Slovenia, South Africa and Thailand.[24] One of the main subjects considered during the Lucerne meeting was small arms and the 2001 Conference. The participants urged the international community to adopt a comprehensive and coordinated approach, emphasizing that bringing a human security perspective to the challenge of small arms proliferation drew attention to central issues such as the impact of underdeveloped economic conditions and social inequities and other

factors that created and fed the conditions of insecurity which underlay the continuing demand for weapons.

62. Participants at Lucerne identified a number of substantive elements which they considered relevant to the 2001 Conference, such as enhancing stockpile management and security and destruction or responsible disposal of "surplus" weapons in official stocks; and promoting and assisting the collection, responsible disposal and destruction of excessive or illicit stocks of weapons. The Netherlands presented a proposal for an interactive database on non-State armed groups to facilitate the exchange of information, lessons learned and best practices in engaging with such armed groups. The Netherlands and Switzerland offered to conduct a feasibility study to explore the possibilities for establishing such a database, the results of which would be presented to the Third Ministerial Meeting of the Network in Amman in 2001.[25]

Asia Regional Workshop on Small Arms, Tokyo, 8-9 June 2000

63. The theme of the Asia Regional Workshop, sponsored by the Ministry of Foreign Affairs of Japan, was "an Asian perspective on the problems of small arms in preparation for the 2001 Conference". The Workshop brought together representatives of Australia, Bangladesh, Cameroon, Canada, China, Colombia, Egypt, Finland, France, India, Indonesia, the Islamic Republic of Iran, Japan, Kenya, Mexico, Mozambique, New Zealand, Nigeria, Norway, Pakistan, Peru, the Philippines, Poland, Portugal, the Republic of Korea, the Russian Federation, Senegal, South Africa, Switzerland, the United Kingdom and the United States. A representative of the Department for Disarmament Affairs also attended. One of the discussions dealt with ongoing regional efforts on small arms outside Asia (e.g., European Union, the Americas, ECOWAS and the Great Lakes Region and Horn of Africa). The Workshop also provided the opportunity for delegations to meet with representatives of civil society, including International Alert (London), ISS (Pretoria), Centro de Estudios Internacionales (Managua), ICRC, the Working Group for Weapons Reduction in Cambodia (Phnom Penh), the National Peace Council of Sri Lanka, the University of Bradford (United Kingdom) and a number of Japanese NGOs. The Asian representatives of the Bureau of the Preparatory Committee for the 2001 Conference also made statements and there was an informal exchange of views on the Conference. The Workshop was organized with a view to promoting a discussion on issues related to the Conference, including trafficking in illicit small arms, but not to develop agreed positions or a final result of the Workshop itself.

"Regional Cooperation in South-east Europe and the Challenge of Small Arms and Light Weapons", EAPC/PfP Workshop in Support of the NATO South-east Europe Initiative (SEEI), Ohrid, the former Yugoslav Republic of Macedonia, 22-23 June 2000

64. The Ohrid Workshop, coorganized by the Governments of the former Yugoslav Republic of Macedonia and Switzerland, was held to discuss three main topics in the area of small arms: border control and law enforcement, end-use/end-user certificates, and reduction measures. It was noted that illicit trafficking in small arms was often linked to organized crime within southeastern Europe and could be dealt with more effectively if there was an institutionalized cooperation mechanism among the countries in the region. Such cooperation could include a common system for information-sharing directly connecting the authorities and an exchange of experts.

65. It was shown that there had been considerable work done within the framework of the NATO/Euro-Atlantic Partnership Council (EAPC) and that there were promising perspectives for future work, including the integration of the small arms issue such as stockpile management and buy-back programmes in a broader security framework; a close involvement of industry and competent authorities in the area of marking and traceability; and more detailed analysis of the financial aspects of the small arms issue as an additional element in order to prevent illicit trafficking in the region.

66. With regard to border control and law enforcement, the participants recommended that countries should institutionalize information-sharing through the establishment of a regional centre, thereby improving coordination among army, police and customs authorities. On end-use/end-user certificates, it was recommended that there should be standardization of such certificates for the purpose of facilitating quick verification and for the prevention of the misuse of small arms. On reduction measures, participants recommended that transparent programmes should be

created to deal with collected arms, either by destruction or controlled stockpiling, and that there should be incentives for local communities to assist in having individuals surrender or turn in their arms.

Group of Eight Industrialized Countries Foreign Ministers Meeting, Miyazaki, Japan, 12-13 July 2000

67. The Group of Eight (Canada, France, Germany, Italy, Japan, Russian Federation, United Kingdom, United States) took up the issue of small arms during the year 2000 as part of its efforts to make the prevention of armed conflict a high priority issue.[26] In a comprehensive statement at Miyazaki, prior to the 21-23 July 2000 Kyushu-Okinawa summit meeting, the Foreign Ministers of the Group of Eight expressed strong support for national, regional and international efforts to ensure that small arms transfers are carried out in a responsible and legal fashion. They also pledged to take steps to ensure that Group of Eight export licensing decisions respected the ECOWAS Moratorium[27] and urged other exporting States to do likewise. They encouraged those in a position to do so to provide financial and technical assistance to support the implementation of the ECOWAS Moratorium as well as the Nairobi Declaration on the Problem of Proliferation of Illicit Small Arms and Light Weapons in the Great Lakes Region and Horn of Africa.[28]

68. In the Miyazaki statement the Group of Eight also emphasized the fundamental importance of measures to combat illicit trafficking in small arms and expressed its commitment to maintaining effective national export control and enforcement systems to prevent the illicit transfer of small arms from, via or to its territories. It reaffirmed its commitment to implement strictly all arms embargoes imposed by the Security Council and to that end strongly supported appropriate national legislation that established legal enforcement of such embargoes. It also reaffirmed its support for the principle that all surplus or illegally held small arms removed from circulation in countries or regions affected by destabilizing accumulations, if not immediately destroyed, should be properly secured and managed prior to their early and effective destruction, preferably under international or third-party supervision.[29]

V. Observations

69. The consultations held in pursuance of General Assembly resolution 54/54 R served to document a heightened awareness of the issue of illicit small arms trafficking. An increasing number of States, regional organizations and representatives of civil society are proposing and, in some cases, implementing prevention and reduction measures to combat this phenomenon. Others have assessed the impact of illicit trafficking but have yet to identify the most appropriate measures for their circumstances. Still others are only beginning to gauge the extent and implications of the illicit trafficking issues they might face and to share that experience with the international community. In this connection, there is a need for information from States, regional organizations and representatives of civil society in West Asia, and for an opportunity for these actors to participate in the Secretary-General's consultations.

70. The growing attention to small arms issues is, in part, attributable to the momentum building towards the 2001 Conference and the commensurate desire among States and regions to develop common priorities or "common positions" on issues related to the illicit trade in small arms and light weapons in all its aspects which are to be considered at the Conference. Interest in these matters has also been provoked by the Vienna-based negotiations on the protocol of firearms.[30] The proposed Protocol would be a legally binding instrument establishing standards for, among other things, firearms marking, import-export controls and international cooperation and information exchange, all intended to prevent and combat illicit firearms manufacture and trafficking.

71. While the proposed protocol on firearms may not cover all the weapons or the issues raised during the preparatory process concerning small arms leading to the 2001 Conference, the Vienna negotiations and the work of the Preparatory Committee for the Conference will continue to shape and inform one another. Certainly, both have underlined the importance of deepening and strengthening international cooperation to combat illicit trafficking.

72. While illicit trafficking in small arms is widely recognized as an international phenomenon, the discussions and deliberations described in the present report make it abundantly clear that various States and regions experience the problem in different ways, bring

varying legal and law enforcement solutions to bear and, as noted above, are at different stages in their development of new solutions. Unfortunately, some of these divergences are being exploited by armed groups, criminals, terrorists and others involved in illicit trafficking. If one State or region adopts measures to reduce or eliminate their activities — and, most importantly, demonstrates the capacity and political will to implement the measures — traffickers, too often, are able to re-establish their operations in other States or regions where the laws and their enforcement are less rigorous, sometimes just across a border.

73. In this context, the consultations underlined the impact of globalization on the ability of States and regions to control the movement of weapons. The benefits of freer trade, the increasingly unrestricted movement of people and rapid communications have also translated into declining governmental controls which are fertile ground for criminals, armed groups, terrorists and unscrupulous officials who take advantage of loopholes and pursue their illicit trafficking operations unabated. One of the disturbing signs in this new environment is that illicit traffickers, sometimes in connivance with government officials, have demonstrated the means and the will to develop cooperative networks across national borders which States have been either unwilling or unable to combat through their own machinery for cooperation.

74. As a consequence, the ability of States to combat illicit arms trafficking depends not only on their national measures, but also on the cooperation of their neighbours in the subregion and region, and the international community. Only with such cooperation will national and regional control regimes prevent small arms proliferation and illicit trafficking and reduce the huge numbers of illicit weapons already circulating in some regions.

Magnitude and scope of illicit trafficking in small arms and light weapons

75. These most recent consultations echoed a finding from the 1999 consultations: that estimates of illicit arms trafficking based on quantifiable data such as numbers of weapons are difficult, if not impossible, to obtain because of the clandestine nature of the activity. Under these circumstances an emphasis on obtaining such data might not be as useful or productive as acquiring information about the original and immediate sources of supply, the suppliers and clients, the types of weapons involved, the methods used to finance and deliver illicit small arms in breach of national laws and international sanctions and the social, political and economic consequences of illicit trafficking in and excessive accumulations of small arms. In this regard, participants in the meetings, conferences and workshops described above consistently called for subregional, regional and international mechanisms and procedures to collect, share and act upon such information. As difficult as it might be to establish the degree of trust needed to make such mechanisms work, progress has been made in several regions. Although much remains to be done, particularly in the regions most affected by small arms accumulations, the work undertaken by SADC, OAU and OAS and the proposals advanced by States in South-East Asia and in OSCE are examples of that progress. Nevertheless, States, regional and subregional bodies and civil society groups in regions affected by illicit trafficking continue to need assistance to develop the data collection and research capacities to advance this work. The efforts of various representatives of civil society in this regard are highlighted in annex II to the present report.

76. It is also becoming evident that the scope and magnitude of illicit small arms trafficking cannot be fully understood unless they are examined in a wider context. In this regard, it should be noted that throughout the consultations and in numerous other forums, there have been calls for greater transparency with respect to small arms transfers, holdings and production, as well as weapons confiscation, collection and destruction.

Measures to combat illicit trafficking in small arms and light weapons

77. The consultations highlighted the increasing awareness in the international community of the two approaches deemed essential to combat illicit small arms trafficking — one dealing with crime and law enforcement issues and the other dealing with disarmament and security matters. The Vienna-based negotiations on the United Nations Convention against Transnational Organized Crime and its Firearms Protocol are the primary vehicles for addressing crime

and law enforcement issues.[31] At the centre of the disarmament and security approach of the United Nations vis-à-vis illicit small arms trafficking is the 2001 Conference and its preparatory process, which are focused on the illicit trade in small arms and light weapons in all its aspects. These efforts, however, are not the only steps being taken.

78. As highlighted during the consultations, a growing number of States are planning and implementing preventive and reduction measures to combat the illicit trafficking in small arms. The preventive measures include efforts to ensure that the legal manufacture and trade in small arms is controlled by States with a view to preventing leakage into the illicit market. The consultations revealed that many States are beginning to examine their national laws and regulations governing the manufacture, sale, export and import of small arms and to compare their national regimes with others in their regions. Some have adopted national legislation criminalizing the violation of United Nations arms embargoes in reaction to recent Security Council resolutions encouraging, requesting or urging Member States to do so.[32] Various States, particularly those faced with high crime rates and those emerging from conflict, are examining the laws governing the possession and ownership of firearms and small arms because of the large number of licit and illicit weapons circulating within and across national borders. Furthermore, national coordinating bodies such as inter-ministerial committees and national commissions comprised of police, security and armed forces, judicial, customs and immigration authorities, are being established to ensure the coordination and implementation of these measures.

79. Effective, sustained implementation is essential in determining whether laws, guidelines and other measures will have an impact on the ground. Even in States where national laws and administrative procedures are already in place, the consultations highlighted that there is a significant gap in the capacity of States to implement their own legislation and administrative guidelines. Therefore capacity-building is crucial in areas such as border control and weapons collection and destruction, in addition to the need to assist States in developing their legal frameworks against illicit trafficking.

80. At the regional level, confidence-building measures ranging from simple bilateral exchanges of information to joint border patrols and customs cooperation are also being put into place. The consultations also found that various States and regional organizations are endeavouring to create cooperative frameworks among police, intelligence, customs and border control officials to combat illicit trafficking. At a minimum, mechanisms and regional networks for information-sharing are being set into motion in a number of areas. States are also working with their neighbours to harmonize legislation and develop common standards on export controls and other measures. Along these lines, national focal points are being identified for the exchange of information and work is being carried out to harmonize end-use certificates, marking regimes and the licensing and regulation of arms dealers, brokers and related financial and transportation agents.

81. With regard to reduction measures, the consultations revealed that in virtually every process, whether national, subregional or regional, participants were considering the destruction of illicit small arms collected, seized, or confiscated as well as the destruction of surplus small arms held by States in order to ensure that such weapons, by illegal means, do not form part of the pool of illicit weapons circulating in their areas.[33] It should be recalled in this context that in paragraph 3 of resolution 54/54 R the General Assembly encouraged Member States in a position to do so to take appropriate national measures to destroy surplus, confiscated or collected small arms and light weapons and to provide, on a voluntary basis, information to the Secretary-General on the types and quantities to be destroyed. Increased efforts along these lines not only would increase transparency and build confidence among States, but also would help promote the destruction of small arms as an international norm.

82. A number of States and regional or subregional bodies have also begun to explore policies and procedures to monitor more rigorously small arms imports and exports to help avoid unwarranted arms transfers, especially to areas of current or potential conflict. Among the measures of this variety that have been discussed, and in some cases implemented, are import and export moratoriums, codes of conduct and other instruments that bring balance, restraint and normative standards to the trade in small arms.

Role of the United Nations in collecting, collating, sharing and disseminating information on illicit trafficking

83. The consultations underlined the continuing role of the United Nations in facilitating the exchange of information between States on illicit trafficking by, for example, convening meetings and conferences as part of the Secretary-General's consultations. The promotion by the United Nations of information-sharing and exchanges of views served to move the debate forward, particularly where relations within a subregion or region have been marked by a lack of cooperation. Participants in consultative workshops and other events have also called upon the United Nations, as the world's most representative body, to set into motion one of its strengths: standard-setting. In this context, some have proposed that the Organization develop an international standard for the marking of small arms and their ammunition, an international standard for end-use certification and controls on arms brokering. With regard to marking, it should be noted that the proposed Firearms Protocol includes a provision on marking. As concerns brokering, a United Nations group of governmental experts will submit a study as one of the background documents for the 2001 Conference on the feasibility of restricting the manufacture and trade of small arms to the manufacturers and dealers authorized by States, which will cover the brokering activities, particularly illicit activities, relating to small arms, including transportation agents and financial transactions.[34]

84. As regards other specific roles the Organization could play, participants called for a United Nations role in the organization of programmes on border control and customs and the development of a clearing house of best practices on activities such as weapons collection and destruction, and national legislation and regulations. The United Nations was also requested to assist States in harmonizing national legislation, to support transparency measures such as the establishment of regional and subregional moratoriums and registers of small arms, and to provide advisory assistance to States in securing weapons stockpiles and the destruction of surplus stocks.

85. Lastly, the United Nations was requested during the consultations process to continue to explore ways and means of identifying illicit traffickers and the routes they used. Much attention has been given recently to the "naming and shaming" of traffickers and their sponsors, including government officials, in light of the report of the panel of experts established by the Security Council pursuant to resolution 1237 (1999) on Angola[35] and the "diamonds and arms" exploratory hearing and the investigatory panel recently established in the Sanctions Committee on Sierra Leone.[36] Efforts such as these to identify traffickers and their routes and transport and financial networks should continue as a means of increasing, and personalizing, the risks associated with illicit small arms trafficking. Publishing information on violations of end-user certificate provisions and circulating lists of convicted traffickers are just several options to increase pressure on gunrunners. Ultimately, however, a regime should be established that will make the prospect of individual criminal prosecution a real-time threat to traffickers and their sponsors, a threat so palpable that it will outweigh their profit, ideological or political motives, and so real that it will deter them, wherever they are, from illicitly delivering the small arms whose proliferation and misuse reap so much death and destruction on civil society.

Notes

[1] The resolution as well as others cited below are available (in Adobe PDF format) on the home page of the Conventional Arms Branch of the Department for Disarmament Affairs (http://www.un.org/Depts/dda/CAB/index.htm).

[2] The official name of the 2001 Conference, as contained in General Assembly resolution 54/54 V of 15 December 1999, is "United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects". See document A/CONF.192/PC/9 for relevant background (http://www.un.org/Depts/dda/CAB/2001confpc9e.pdf) and the 2001 Conference home page (http://www.un.org/Depts/dda/CAB/smallarms/).

[3] *Small arms* are those weapons designed for personal use, and *light weapons* are those designed for use by several persons serving as a crew. The category of small arms includes revolvers and self-loading pistols, rifles and carbines, sub-machine guns, assault rifles and light machine guns. *Light weapons* include heavy machine guns, hand-held under-barrel and mounted grenade launchers, portable anti-aircraft guns, portable anti-tank guns, recoilless rifles, portable launchers of anti-tank missile and rocket systems, portable launchers of anti-aircraft missile systems and mortars of calibres of less than 100 mm. *Ammunition and explosives* form an

integral part of small arms and light weapons used in conflicts, and include cartridges (rounds) for small arms, shells and missiles for light weapons, anti-personnel and anti-tank hand grenades, landmines, explosives and mobile containers with missiles or shells for single-action anti-aircraft and anti-tank systems. See A/52/298, annex, para. 26 (http://www.un.org/Depts/dda/CAB/rep52298.pdf).

[4] The Department for Disarmament Affairs addressed letters to the following regional groups and organizations (replies were received from those organizations marked with an asterisk): Association of South-East Asian Nations (ASEAN), Caribbean Community (CARICOM); Commonwealth Secretariat; Economic Community of Central African States (ECCAS); Economic Community of West African States (ECOWAS); European Commission; League of Arab States; Mercado Commun del Sur (MERCOSUR); Organization of African Unity (OAU);* Organization of American States (OAS); Organization of the Islamic Conference (OIC); Organization for Security and Cooperation in Europe (OSCE);* South Asian Association for Regional Cooperation (SAARC); South Pacific Forum;* and Southern African Development Community (SADC). Copies of the replies are available at the Department for Disarmament Affairs.

[5] The Department for Disarmament Affairs addressed letters to the following regional groups and NGOs (replies were received from those organizations marked with an asterisk): Arias Foundation for Peace and Human Progress (San José, Costa Rica);* Bonn International Centre for Conversion (BICC, Bonn, Germany);* British-American Security Information Council (BASIC, Washington/London);* Center for Defense Information (CDI, Washington); Centre for International Studies (Managua); Christian Council of Mozambique (Maputo); Commonwealth Human Rights Initiative (New Delhi); EastWest Institute (New York);* Eminent Persons Group on Curbing Illicit Trafficking in Small Arms and Light Weapons (Washington);* Federation of American Scientists (FAS, Washington); Graduate Institute of International Studies (GIIS, Geneva); Gun Free South Africa (Braamfontein);* Human Rights Watch Arms Division (Washington);* Institute for Security Studies (ISS, Pretoria); Institute for Defence Studies and Analyses (IDSA, New Delhi); International Action Network on Small Arms (IANSA, London); International Alert (London); International Committee of the Red Cross (ICRC, Geneva);* International Institute for Strategic Studies (IISS, London); Mennonite Central Committee/Cambodia (Phnom Penh); Monterey Institute of International Studies (MIIS, Monterey, California); Nonviolence International/Southeast Asia Office (Bangkok);* Norwegian Initiative on Small Arms Transfers (NISAT, Oslo);* Oxfam International (London); Quaker United Nations Office (New York/Geneva); Reference Group on Small Arms (Geneva); Regional Centre for Strategic Studies (RCSS, Colombo); Saferworld (London); Security Research and Information Centre (SRIC, Nairobi);* Small Arms Survey (Geneva);* Stockholm International Peace Research Institute (SIPRI);* Working Group for Weapons Reduction in Cambodia (WGWR, Phnom Penh);* World Council of Churches (Geneva);* and the World Policy Institute (New York). Copies of the replies are available at the Department for Disarmament Affairs.

[6] Workshop on "Illicit Trafficking in Small Arms: Latin America and Caribbean Issues", Lima, 23-25 June 1999 (http://www.un.org/Depts/dda/CAB/limaeng.pdf).

[7] Workshop on "Illicit Trafficking in Small Arms: African Issues" (in pursuance of General Assembly resolution 53/77 T), Lomé, Togo, 2-4 August 1999 (http://www.un.org/Depts/dda/CAB/lomeng.pdf).

[8] For more information on the Jakarta Seminar see http://www.un org/Depts/dda/CAB/jakartaformal.pdf.

[9] For information on the Kardalama Conference, see http://www.rcss.org/.

[10] For information on the Karidy Conference, see http://www.rcss.org/.

[11] A/CONF.192/PC/2 (http://www.un.org/Depts/dda/CAB/2001confpc2e.pdf).

[12] For information the May 2000 Addis Ababa meeting, see OAU document SALW/RPT/EXP (I) (http://www.un.org/Depts/dda/CAB/oaumay2000.pdf).

[13] For information on the June 2000 Addis Ababa Consultation, see http://www.un.org/Depts/dda/CAB/oaujune2000.pdf.

[14] http://www.basicint.org/wtOSCEsum3.htm.

[15] A/53/78, http://www.un.org/Depts/dda/CAB/let5378.pdf.

[16] The executive summary of the OAS/CICAD Seminar may be found at http://www.un.org/Depts/dda/CAB/martinique.pdf.

[17] A/54/488-S/1999/1082, 21 October 1999 (http://www.un.org/Depts/dda/CAB/let54488e.pdf).

[18] For the text of the Joint Declaration, see http://www.stabilitypact.org/wt%2D3/Joint%20Decl%20Arms%20Transfers.htm.

[19] The Chairman's summary of the Ljubljana Workshop is available at http://www.stabilitypact.org/WT-1/Ljubljana%20Jan%2027%20Small%20Arms%20Workshop.htm.

[20] Information on the Sarajevo Working Table may be found at http://www.stabilitypact.org/WT-3/WT3%20Conclusions%20&%20Reports%20Page.htm.

[21] Reply to the Secretary-General from the South Pacific Forum Secretariat (http://www.forumsec.org.fj).

[22] A/54/860-S/2000/385; see also http://www.un.org/Depts/dda/CAB/sclet385e.pdf.

[23] The work programme of the EAPC/Ad Hoc Working Group on Small Arms and Light Weapons is: (a) stockpile management and security; (b) national export controls, mechanisms, enforcement and arms embargoes; and (c) peacekeeping training and development. See also EAPC unclassified document EAPC(PC)(SALW)WP(99)1(Final).

[24] http://www.eda.admin.ch/eda/e/home/recent/press/05/#0003.

[25] See annex 1, "Small Arms and Light Weapons and the 2001 Conference", Chairman's Summary of the Lucerne Meeting (http://www.un.org/Depts/dda/CAB/humansecurityMay2000.pdf), The Human Security Network, Second Ministerial Meeting, Lucerne, 11-12 May 2000, as part of the compilation of texts and documents distributed at the Asia Regional Workshop on Small Arms in Tokyo, 8-9 June 2000, Ministry of Foreign Affairs, Japan.

[26] A/55/161-S/2000/714 (http://www.un.org/Depts/dda/CAB/sclet714e.pdf). The G8 initiatives for conflict prevention in 2000 are as follows: small arms and light weapons; conflict and development; illicit trade in diamonds; children in armed conflict; and international civil police.

[27] A/53/763-S/1998/1194 (http://www.un.org/Depts/dda/CAB/let763.pdf).

[28] A/54/860-S/2000/385 (http://www.un.org/Depts/dda/CAB/sclet385e.pdf).

[29] A/55/161-S/2000/714 (http://www.un.org/Depts/dda/CAB/sclet714e.pdf).

[30] A/AC.254/4/Add.2/Rev.5 (http://www.un.org/Depts/dda/CAB/rep254rev5e.pdf).

[31] A/AC.254/4/Add.2/Rev.5 (http://www.un.org/Depts/dda/CAB/rep254rev5e.pdf).

[32] See Security Council resolutions 1196 (1998), 1295 (2000) and 1306 (2000).

[33] In this context, see the working paper submitted by South Africa during the 2000 substantive session of the United Nations Disarmament Commission, entitled "Destruction of surplus, confiscated or collected weapons as a practical confidence-building measure in the field of conventional arms", A/CN.10/2000/WG.II/WP.3 (http://www.un.org/Depts/dda/CAB/ACN102000WGIIWP3e.pdf).

[34] See General Assembly resolution 54/54 V, para. 14.

[35] S/2000/203 (http://www.un.org/Depts/dda/CAB/sclet203e.pdf).

[36] S/2000/756

Annex I

Replies received from Governments

Brazil

[Original: English]
[20 May 2000]

Paragraph 1 of resolution 54/54 R

Brazil will be able to cooperate with the Secretary-General by providing information on the illicit trade of small arms and light weapons in all its aspects.

Paragraph 2

Brazil considers the suggestions contained in this paragraph timely and appropriate. An example that could be emulated is the practice followed during the preparation of the thematic United Nations Conferences, by which the regional commissions organized a number of regional preparatory conferences. Brazil believes that the convening of regional and subregional consultation meetings to be held during the inter-sessional period of work of the Preparatory Committee would represent a valuable contribution to the preparation process of the 2001 Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects.

Paragraph 3

Brazil stands ready to provide information on the destruction of surplus and confiscated small arms and light weapons.

China

[Original: Chinese]
[5 June 2000]

1. Magnitude and scope of illicit trafficking in small arms

China has taken note of the fact that the magnitude and scope of illicit trafficking in small arms varies from country to country and from region to region, and that the root cause, degree of seriousness and manifestations of illicit trafficking in small arms are not identical in all cases. In some countries and regions, illicit trafficking in small arms is a relatively serious problem, as it not only constitutes a threat to the personal safety of the local population but also has a negative impact on the security and stability of the region. Although illicit trafficking in small arms is motivated by financial profit, under many circumstances it is closely linked to political factors. This is particularly true in countries where conflict based on political, racial, religious or other factors provides the breeding ground for illicit trafficking in small arms which, in turn, exacerbates and prolongs the conflict.

In the case of China, illicit trafficking in small arms mainly takes the form of smuggling of firearms, especially in areas along its south-western border. It is there that such criminal activities, involving smuggling of and trafficking in firearms, have gained greater prominence. Moreover, these are mostly transnational crimes perpetrated by organized groups through the collusion of local inhabitants with outsiders and exhibit the characteristics of professional, collective and international criminality carried out in a coordinated process of production, transportation and marketing. These weapons come mostly from outside sources and greatly endanger the social order and stability of China. Thanks to the drastic measures taken by the competent authorities, the number of smuggled firearms has shown a trend of gradual decrease in the past two years and has since been kept at a relatively low level.

2. Possible measures to combat illicit trafficking in small arms

In view of the diversity of the phenomenon of illicit trafficking in small arms in terms of its root causes, magnitude, scope and manifestations, one of the major principles of devising possible measures to combat and prevent such activities is that of making concrete analyses of concrete problems and adapting measures to local conditions, rather than generalizing. The primary approach to combating illicit trafficking in small arms should therefore be the formulation at the national level of preventive measures suited to the specific conditions of the country or region involved. Whether they export or import small arms, States should exercise strict control over the production, trade, use, possession, stockpiling, import and export

of small arms through legislative, administrative and other means.

Secondly, the relevant measures must be comprehensive and capable of addressing the root as well as the symptoms of the problem. Not only should they prevent and combat the illicit activities themselves, but, more important, they should seek to eliminate the root causes of illicit trafficking in small arms by adopting preventive measures against its source. This should be a long-term effort, since the root causes of some illicit trafficking in small arms are extremely complex and immediate success may not be achieved in the short term. From a longer-term perspective, however, only measures that address the root causes as well as the symptoms of the problem can be truly effective.

Third, in view of the transnational character of activities involving illicit trafficking in small arms, cooperation and coordination among international organizations will be an essential and important step. Bilateral and multilateral cooperation based on respect for national sovereignty and due regard for the actual conditions in each country is the primary prerequisite for the success of domestic measures.

Chinese law bans private possession of arms and ammunition. Relevant Chinese laws contain detailed provisions governing the production of and trade in small arms, and set forth a policy for strictly controlling the export of small arms in order to prevent the diversion of legal arms to illegal channels. With regard to illicit trafficking of firearms within the country, public security agencies in China continue relentlessly to combat such activities and are combining their combative, preventive, control and institutional efforts to pool their practical experience and create an effective working mechanism. First, they clearly define their targets and launch special actions at the appropriate time. Secondly, they conduct extensive publicity campaigns, mobilize the broad masses and use the media, including newspapers and television broadcasts, to sensitize the people and increase public awareness of the problem of firearms. Thirdly, they intensify their supervisory and enforcement functions. Fourthly, they establish a regulatory system in order to fulfil their responsibilities effectively. To combat activities involving transborder smuggling of and illicit trafficking in firearms, Chinese public security agencies have strengthened their administration and control of the borders, tightened exit-entry inspections and enhanced their cooperation with the competent bodies of neighbouring States by concluding cooperative agreements with them, including agreements regarding increased exchange of information and joint actions to combat criminal activities involving smuggling of and trafficking in firearms. Chinese public security agencies have consistently destroyed the illegal arms and ammunition they have seized. Statistics show that 3,579 and 2,087 illegal military firearms were destroyed in 1998 and 1999 respectively.

3. Role of the United Nations in collecting, collating, sharing and disseminating information on illicit trafficking in small arms

China endorses the idea that the United Nations should play an essential role in the collection, analysis and exchange of information on illicit trafficking in small arms. It will provide support and cooperation to the efforts of the United Nations in this field.

Colombia

[Original: Spanish]
[17 May 2000]

Introduction

The levels of illicit trafficking in small arms are not inconsequential. The authorities of some countries maintain that the quantity of arms seized and decommissioned is but a fraction of the real volume of such traffic and that the international system operating in the arms trade has again acquired the features of the "trade in death" that existed during the cold war when, owing to lack of controls, suppliers and traffickers of arms were able to exert a significant influence on armed conflicts.

Nevertheless, the devastating impact of the illicit traffic in small arms on the security of States is a function not only of the quantities or characteristics of the illicitly transferred arms but also of their impact on the peace and stability of the affected nations. The destabilizing effects of this traffic on the affected nations are reflected in an increase in crime, high rates of violence and the spread of internal conflicts, all of which poses a serious obstacle to the negotiation and implementation of peace agreements, the establishment of a culture of peace and the tackling of the social and economic problems that underlie the armed conflicts.

Illicit trafficking in small arms is therefore one of the most dangerous phenomena that the international community must deal with.

There are many cases of illicit trafficking in arms which demonstrate the need to tackle the problem in its political, social and economic dimensions and in the international context. These cases, which reflect the experience of Colombia and other countries affected by the problem, should serve as a starting point for developing and implementing collective strategies which will lead to a prompt solution of the problem.

Colombia's concerns

One of the Government's main priorities is to fight those who traffic in war materiel. The national authorities are constantly breaking up groups of arms traffickers, many of them belonging to international networks, in operations covering different parts of the territory.

The small arms seized in Colombia are of many different types, ranging from pistols and revolvers to weapons manufactured to military specifications. The arms entering Colombia illicitly likewise come from many different countries and regions of origin and transit. Between 1994 and 1998, Colombian authorities seized more than 150,000 small arms, some 140,000 boxes of explosives, more than 5 million boxes of ammunition, 7,852 anti-personnel landmines, 30,291 kilos of gunpowder and 16,200 grenades, as well as bombs and booby traps representing only a fraction of all those which enter and circulate illicitly in the country.

Since some of the illicit traffic in arms is part of an underground economy, consisting of a series of international black markets with their own supply sources, communications and distribution networks and their own financial systems, it can be assumed that combating this scourge will require the drawing up of international cooperation agreements on these aspects of the problem.

Colombia is participating in the ongoing process in Vienna to negotiate a protocol to combat the illicit trafficking in small arms. However, Colombia feels that if an international instrument is to help prevent and ultimately eradicate the illicit trafficking in arms it will be necessary to focus on the following aspects:

- Strengthening of national laws and administrative procedures on the control of small arms and, in particular, the laws regarding the possession, use and transfer of such arms;
- Destruction of small arms which exceed legitimate needs for defence and national security, and of any arms seized which are not intended for official use;
- Establishment of necessary mechanisms to control and monitor all the links in the chain of the trade in such arms, from the production to the distribution, sale and marketing thereof;
- Substantial increase in cooperation between the police and customs officials to ensure border control;
- Transparency in the acquisition and trade of these arms;
- Exchange of information on all aspects related to the illicit trafficking in arms so as to permit the search for weapons and the arrest of traffickers;
- Cooperation and coordination between the countries that produce, those that export and those that import small arms, in order to reduce the supply and demand for such arms;
- Reduction of economic dependence on the production and sale of arms and establishment of strict controls on authorized manufacture and joint production agreements;
- Industrial conversions, entailing reduction of the capacity to produce small arms and light weapons and development of non-military substitute industries, as recommended by the Group of Governmental Experts on Small Arms.

In addition, Colombia feels that the fight against illicit trafficking in arms must involve not only Governments but also the following actors:

- State authorities responsible for enforcing national laws and regulations concerning the possession and bearing of and trade in arms, which must also help stem the corruption generated by the illicit trafficking in arms;
- Arms manufacturers, who must set limits on their production so as to ensure that the quantities of arms manufactured does not exceed the number

needed by the State for national defence or for lawful trade;

- Distributors, commission agents, traders and transporters of arms who must, in addition to abiding by national laws and regulations for the control of the trade in arms, ensure that there is strict compliance with the laws and regulations of the exporting State, the importing State and the transit State;
- The ordinary citizen who, in addition to obeying the relevant laws and regulations, must help establish a culture of peace which rejects the use of arms;
- Regional and international organizations, which must promote the establishment of a global regime to prevent and combat illicit trafficking in arms;
- Non-governmental organizations, which must collaborate in promoting global awareness of the deadly consequences of illicit trafficking in arms and thus help create a global culture of peace.

Processes initiated by regional and subregional organizations

Colombia commends the processes initiated by the regional and subregional organizations to combat illicit trafficking in arms.

In the Americas, the States of the hemisphere have undertaken to implement the provisions of the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and Other Related Materials and to cooperate with one another to stem and ultimately eradicate these scourges. Likewise, in the context of the Inter-American Commission for Drug Abuse Control (CICAD), the States have undertaken to implement the Model Regulations which, while not binding, are intended to fulfil an additional function, namely, the implementation of measures to ensure that the trade in firearms, their parts and components and ammunition is carried out only under strict control at the points of export, import and transit.

Several processes intended to combat illicit trafficking in small arms and to reduce the accumulation and excessive circulation of these arms are also under way in other regions and subregions. These processes include the following:

The adoption in Africa of a decision on the illicit proliferation, circulation and trafficking of small arms, which calls on the Organization of African Unity, inter alia, to undertake and coordinate actions in the region to combat these problems. Also in Africa, the decision of Governments of the subregion, at the initiative of Mali and other countries of the Saharo/Sahelian region, to institute a moratorium for three consecutive years on the import, export and production of such weapons.

With the cooperation of the United Nations, Mali and Cambodia have established programmes to collect and destroy small arms in accordance with their peace agreements. Also in Africa, South Africa has announced that it has destroyed all surplus arms in possession of the State and that, together with Mozambique and Swaziland, it has taken steps to establish programmes for the voluntary collection of small arms currently in circulation and to seize illegal arms. In that subregion cooperation has increased between the police and customs officials for border control with a view to combating the illicit trafficking in small arms and the problems related thereto.

For their part, the countries of the European Union have undertaken to develop a Joint Action initiative designed to reduce the accumulation and destabilizing dissemination of small arms and to curb the illicit trafficking in such arms. In implementing the initiative, the European countries have carried out a variety of activities, such as providing support for and cooperation with Albania and the countries of south-west Africa in their efforts to resolve problems related to the circulation and illicit traffic in such arms, and assistance in holding meetings with a view to discussing and adopting strategies relating to small arms.

Several States, among them Colombia, have also taken unilateral steps to strengthen their laws and administrative procedures relating to the control of small arms and to that end have set up intersectoral committees to coordinate and map out national strategies to combat the illicit trafficking in small arms.

The United Nations, for its part, has initiated several important processes to prevent and combat illicit trafficking in small arms and to reduce the accumulation and proliferation of such arms in the affected countries and regions. The following are worthy of mention:

- Establishment of the mechanism for Coordinating Action on Small Arms, the focal point of the Department for Disarmament Affairs, to coordinate all action on small arms within the United Nations system;

- The adoption in 1999, at the regular session of the Disarmament Commission, of the "Guidelines on conventional arms control/limitation with special emphasis on consolidation of peace in the context of General Assembly resolution 51/45 N", which recommended specific measures to combat illicit trafficking in small arms and to tackle the problems of the accumulation and proliferation of such arms;

- The studies carried out by qualified experts, such as the study on ammunition and explosives, implementation of which is to be encouraged by all States; the study on the feasibility of restricting the manufacture and trade of small arms to the manufacturers and dealers authorized by States; the study prepared by the Department of Peacekeeping Operations, which provides the framework for planning and implementing disarmament and the demobilization and reintegration of former combatants in the countries and regions which have overcome armed confrontation; the international study on the control of firearms, which deals with the laws and regulations adopted by different nations to exercise such control; and the reports of the Secretary-General prepared by governmental experts on measures to counteract the destabilizing impact on peace and international security of illicit trafficking in small arms and the circulation and accumulation of such arms;

- Likewise, the Secretary-General undertook to enhance the Organization's capacity to combat and prevent the illicit circulation and trafficking in small arms and the destabilizing effects thereof; the Security Council to enforce the arms embargoes; and the Office for the Coordination of Humanitarian Affairs to establish a panel on small arms to collect reliable information on the accumulation and circulation of and illicit trafficking in such arms, in order to determine the humanitarian implications of these phenomena and to counteract their effects on the civilian population;

- Important initiatives have been taken to foster practices in the donor community in support of the regions in conflict and those which have overcome armed conflict. Among these initiatives it is worth drawing attention to the establishment in the World Bank of a post-conflict unit to provide technical and financial assistance to countries in their transition from war to peace. In this context, the Bank supports projects relating to mine clearance and the reintegration of former combatants into civil society.

Need for a global regime

The actions mentioned reflect the international community's growing concern about the effects of the proliferation and illicit trafficking in small arms on peace, security and the social and economic development of many countries and regions. However, this concern has not been reflected in the attitude of some countries which, owing to the absence of a global regime to regulate and monitor the production, distribution, export and import of such arms, continue to permit the transfer of such arms without restriction, thereby making it easy for outlawed groups and individuals to gain access to the small arms market and promoting the corruption of those who take advantage of these circumstances to secure great profits.

Notwithstanding the progress that has been made in a number of countries, regions and subregions in establishing rules and procedures for combating the circulation and illicit trafficking in small arms, Colombia feels it is necessary to secure a commitment from the international community to raise awareness of the destabilizing consequences of such trafficking and to eradicate it worldwide.

International conference on the illicit arms trade in all its aspects

Ever since Colombia submitted to the General Assembly an initiative for convening an international conference on the illicit arms trade in all its aspects, which was adopted in resolution 46/36 H of 6 December 1991, the initiative was kept alive, particularly among the countries affected by this scourge. Seven years later, with the adoption of resolution 53/77 E of 4 December 1998, the General Assembly decided to convene such a conference no later than 2001, taking into account the views of Member States and the recommendation of the Group

of Governmental Experts on Small Arms, reflected in the report of the Secretary-General on the subject. Colombia is confident that the conference will provide an opportunity for involving the international community in solving a problem that, like the illicit trafficking in arms, brooks no further delay.

El Salvador

[Original: Spanish]
[31 May 2000]

The Government of El Salvador agrees on the need for compliance with paragraphs 1 and 2 of General Assembly resolution 54/54 R, in accordance with the mandate established by the Assembly in that resolution.

In relation to paragraph 3, El Salvador wishes to provide the following information:

(a) Attached hereto is a table listing the arms and explosives collected on 22 days designated by the patriotic movement against crime;*

(b) Also attached is a consolidated table listing the small arms and light weapons which have been confiscated, collected and destroyed;

(c) Also attached is a table from the Department for the Control of Private Security of the National Civil Police, indicating the number of weapons and personnel in private security agencies;

(d) In addition, the Government of El Salvador wishes to announce that, on 1 July 1999, its Legislative Assembly adopted the Law for the Control and Regulation of Firearms, Ammunition, Explosives and Similar Items, and that, on 4 April 2000, the executive branch adopted Decree No. 25 on the regulations to be implemented under that law. Copies of these texts are attached hereto for consultation by those interested in this matter.

* The attachments referred to are available at the Department for Disarmament Affairs in the original language of submission.

Jordan

[Original: Arabic]
[1 June 2000]

1. In the unique situation in the Middle East, small arms and light weapons are pervasive for the following reasons:

(a) From the historical point of view, the possession of small arms and light weapons by civilians is part of the culture in Middle Eastern societies and is thus traditional in addition to being prompted by reasons of security;

(b) The emergence and growth of trafficking networks has been facilitated by the region's long and unguarded international boundaries;

(c) From the economic viewpoint, the smuggling of small arms is extremely profitable at a time when the inhabitants of the countries in the region are experiencing economic hardships;

(d) There are enormous quantities of small arms in the region left over from such bilateral and internal conflicts as the Iraq-Iran war, the Lebanese civil war and the Arab-Israeli conflict;

(e) Some States sponsor arms smuggling networks in order to undermine stability in neighbouring countries for reasons of policy and intimidation.

In the light of the foregoing, there would appear to be a pressing need for:

(a) Coordination among parties in the region in addressing the problem;

(b) Establishment of a regional register and of data banks in order to elucidate the scale of the problem;

(c) Effective national programmes for the collection of the weapons in question;

(d) Enactment and implementation of national legislation to regulate and monitor the possession of weapons;

(e) Establishment of a regional centre to counter the transfer through various illegal operations of small arms and light weapons between countries in the region;

(f) Cooperation among all intelligence and security agencies and customs administrations in order to counter this phenomenon at the regional level.

Portugal (on behalf of the States Members of the United Nations that are members of the European Union)

[Original: English]
[7 June 2000]

The States members of the European Union (EU) wish to provide the following common reply to paragraph 3 of resolution 54/54 R, which contains a request for Member States in a position to do so to take appropriate national measures to destroy surplus small arms and light weapons, confiscated or collected small arms and light weapons in affected regions and encouragement to provide on a voluntary basis, information to the Secretary-General on the types and quantities destroyed.

The political instability, human suffering, insecurity and social consequences caused by the destabilizing accumulation and spread of small arms and light weapons call for urgent international action. EU attaches great importance to combating the problem at the national, regional and international levels. Three instruments have been adopted within EU common foreign and security policy, which are of particular relevance to the resolution:

(a) In July 1997, the Council of the European Union adopted the EU Programme for Preventing and Combating the Illicit Trafficking in Conventional Arms;

(b) In June 1998, the Council of the European Union adopted the EU Code of Conduct on Arms Exports;

(c) In December 1998, the Council of the European Union adopted a Joint Action on the EU contribution to combating the destabilizing accumulation and spread of small arms and light weapons.

Following the adoption of the Joint Action, the Development Council in May 1999 adopted a resolution on the relationship between the small arms problem and development cooperation.

These are the key instruments for EU participation in the regional and international efforts to prevent the destabilizing accumulation and spread of small arms.

The EU Programme for Preventing and Combating the Illicit Trafficking in Conventional Arms entails a broad set of non-binding measures promoting both cooperation among member States and EU assistance to third countries affected by illicit trafficking in conventional arms.

The EU Code of Conduct on Arms Exports is a major contribution to the effective control of transfers of conventional arms, including small arms. The Code contains a detailed set of common criteria for arms exports, including respect for human rights, and establishes unprecedented provisions. It also creates a monitoring mechanism through an annual report by each EU country on arms exports. The Code spells out the commitment of each EU member State to use its best endeavours to encourage other arms exporting States to subscribe to the principles of the Code.

The EU Joint Action on combating the destabilizing accumulation and spread of small arms and light weapons provides a comprehensive framework for EU policy in the field of small arms. It enumerates a set of principles and measures on preventive and reactive aspects of the issues that the EU member States shall pursue in relevant international forums and regional contexts. The Joint Action also contains provisions of financial and technical assistance to relevant programmes or projects.

To date EU has decided to contribute to three different projects:

- A United Nations Development Programme (UNDP) pilot project on the collection and destruction of weapons in Albania;
- In cooperation with the South African Police, the project of location, collection and destruction of illegal arms caches hidden in the ground during the civil war in Mozambique (Operation Rachel) (see also South Africa below);
- A project to combat the destabilizing accumulation and spread of small arms and light weapons in Cambodia, focusing on soft areas, legislation, weapons control procedures, etc.

The Union is considering specific action in other areas as well.

Significant progress in support of the principles of the EU Joint Action has been achieved in dialogue with other countries and regions to promote the comprehensive approach on small arms and light weapons. This dialogue serves both to address particular regional small arms concerns and to consolidate positions in view of wider international efforts.

The associated countries of Central and Eastern Europe and Cyprus and the European Free Trade Association countries members of the European Economic Area have aligned themselves with the Joint Action, as has Canada. South Africa also has aligned itself with the principles of the EU Joint Action.

In December 1999, the EU and the United States of America adopted a 10-point joint action plan on small arms.

EU and the Southern African Development Community have initiated regional dialogue and established a related joint working group. A similar regional dialogue was launched in the West Africa region with the Economic Community of West African States (ECOWAS).

The focus in Africa is particularly important as small arms are spreading violence and preventing post-conflict peace-building efforts in many countries in the continent. In the context of this dialogue EU has consistently emphasized the importance of the strict control and destruction of the surplus weapons.

Conscious of the need to take decisive action in the field of illicit trade in small arms and light weapons, the General Assembly, in the wake of previous efforts aimed at curbing the flow of arms, decided in its resolution 53/77 E of 4 December 1998 to convene an international conference on the illicit arms trade in all its aspects no later than 2001.

The Conference is a major investment in the international efforts to deal with small arms issues. The Conference should build upon the work done by the Group of Governmental Experts on small arms. The European Union outlined an ambitious plan for the Conference in its reply to the Secretary-General concerning resolution 53/77 E submitted by Germany on 27 April 1999 (see A/54/260, chap. IV). At the first session of the Preparatory Committee, EU tabled a working paper proposing that the Conference should examine the question through six substantive clusters:

(a) Prevention of the illicit acquisition, transfer, transit and circulation of small arms;

(b) Commitments regarding the production, transfer, acquisition and holdings of small arms in accordance with legitimate national and collective defence taking into account internal security needs, and the destruction of surpluses;

(c) Collection, control and destruction of illicit weapons;

(d) Strengthening international cooperation among police intelligence, customs and border control agencies;

(e) Marking, record keeping and tracing;

(f) International cooperation and assistance.

Each cluster should cover both preventive and reactive aspects, including measures in the context of post-conflict efforts. Each cluster should also allow for consideration of aspects of both supply and demand and of appropriate confidence-building measures.

EU considers that the United Nations has a central role to play in international efforts to deal with the problem of illicit traffic in small arms. The Union emphasizes the importance of cooperation and coordination both among the relevant intergovernmental bodies of the United Nations and within the Secretariat, in particular with regard to the activities of the Centre for International Crime Prevention, the Department for Disarmament Affairs and the mechanism for Coordinating Action on Small Arms (CASA). EU also wishes to underline the importance of efficient cooperation between the Director of Administration and the United Nations Development Programme (UNDP), which has wide responsibility in the implementation of action in this field. Moreover, it is important to ensure effective information sharing between United Nations Headquarters and regional and subregional activities and organizations.

EU supports increased transparency in international arms transfers in particular through the submission of responses to the United Nations Register of Conventional Arms. EU encourages all States Members of the United Nations to submit their national data to the Register in full and on time.

EU expresses its gratitude to the Secretary-General for the report he has prepared on the role of the United Nations peacekeeping in disarmament, demobilization and reintegration. EU endorses in general terms the goals established in the report and urges that appropriate follow-up be given to the recommendations contained therein by the Security Council, relevant United Nations departments and agencies, as well as by other organizations and by Member States.

In the wide-ranging European Union support for peace processes and peace-building activities, financial contributions and support has been provided by EU member States, inter alia, to demobilization and reintegration programmes in the Central African Republic and in Sierra Leone.

To assist the United Nations in providing the necessary expertise, EU supports the maintenance of databases of expertise on disarmament, demobilization and reintegration and the inclusion of these areas in national training programmes for peacekeepers. Close consideration should also be given to the question of offering incentives for disarmament, to the destruction of weapons and to the monitoring and control of regional arms traffic, taking into account the economic dimensions of arms flows.

On 1 November 1999, EU made a Pledge on small arms and light weapons (as well as on anti-personnel landmines) at the 27th International Conference of the Red Cross and Red Crescent in Geneva to strengthen the implementation of international humanitarian law. The Conference was held at a time when concerns over the respect for international humanitarian law and effectiveness of the international response to humanitarian disasters have been raised at the highest levels.

The European Union has for a long time been an active partner of humanitarian and other international organizations, leading the work in crisis areas. The Union is currently in the process of enhancing its crisis management capabilities.

EU is encouraged by the negotiations under way in Vienna under the auspices of the United Nations Commission on Crime Prevention and Criminal Justice on the draft protocol against the illicit manufacturing and trafficking in firearms, ammunition and other related materials in the context of the negotiations on the draft United Nations convention against transnational organized crime. EU emphasizes the importance of the draft Firearms Protocol, which covers one essential aspect of the small arms problem, and hopes that these negotiations will be concluded expeditiously prior to the International Conference on the Illicit Trade in Small Arms and Light Weapons in All its Aspects. The Firearms Protocol aims at establishing adequate norms with regard to, inter alia, record keeping, marking, requirements for export, import and transit licensing or authorization systems as well as registration and licensing of arms brokers.

Prior to the Istanbul Summit, the Forum for Security Cooperation of the Organization for Security and Cooperation in Europe (OSCE) adopted a decision on small arms. EU took active part in the Forum Seminar on Small Arms and Light Weapons held at Vienna from 3 to 5 April 2000 (see main document, paras. 37-42). The Seminar identified areas for developing concrete measures to combat the destabilizing accumulation and uncontrolled spread of small arms and light weapons. EU is actively engaged in follow-up work to elaborate a comprehensive OSCE document on small arms and light weapons.

The European Union will actively pursue international efforts to stop the human suffering caused by the destabilizing accumulation and spread of small arms and light weapons, including illicit trafficking in small arms. EU stresses that all Governments should commit themselves to policies consistent with the goal of achieving a sustainable solution to the problem and take effective and practical steps to that end.

Russian Federation

[Original: Russian]
[25 May 2000]

During the period from August 1999 to January 2000, 90 small arms and light weapons were confiscated by subdivisions of the Ministry of Defence of the Russian Federation. In 1998, 167,626 small arms and light weapons were recovered, and in 1999, the figure rose to 209,395.

In 1999, subdivisions of the Ministry of Internal Affairs of the Russian Federation confiscated from illegal organizations and organized criminal groups 5,011 light weapons, of which 2,646 were destroyed; the remainder will be destroyed as the criminal cases are settled.

South Africa

[Original: English]
[10 August 2000]

The General Assembly, in its resolution 54/54 R, entitled "Illicit traffic in small arms", encouraged States in a position to do so to take appropriate national measures to destroy surplus small arms and light weapons and confiscated or collected small arms and light weapons and to provide, on a voluntary basis, information to the Secretary-General on the types and quantities destroyed.

South Africa believes that many recent conflicts, especially in Africa, have mainly been fought with small arms and light weapons and that many of those weapons were acquired from surplus stockpiles elsewhere. Therefore, the commencement of the destruction process in July 2000 of over a quarter of a million redundant small arms in the South African National Defence Force stockpile forms part of South Africa's comprehensive strategy to prevent, combat and eradicate the excessive and destabilizing accumulation of small arms. In addition, South Africa has cooperated with the Government of Mozambique to destroy tons of military weapons in Mozambique through an operation code-named Operation Rachel.

Destruction of redundant small arms: South African experience

Following the South African Government's announcement on 19 February 1999 that it would destroy all surplus small arms rather than sell them, the destruction of a total of 262,667 small arms and parts with a calibre smaller than 12.7 mm by means of fragmentation commenced, on 6 July 2000. This project has been named Operation Mouflon.

These weapons had become redundant and/or obsolete because of the availability of more advanced technology or were confiscated by the South African National Defence Force during military operations. The decision to destroy the weapons is in line with international efforts to address the problem of small arms proliferation, which is why the decision was made not to sell them.

The estimated cost of the physical destruction of the weapons has been calculated at R 1,982,665. The Government of Norway generously provided an amount of NKr 520,000 (approximately R 403,100) to the funding of the project.

Sufficient additional funds were secured by 31 May 2000, and contracts were concluded with two companies, in Benoni and Port Elizabeth, South Africa, which had successfully tendered for the destruction contracts.

In terms of the logistical execution, Operation Mouflon consists of three phases, which are outlined below.

1. Preparation phase

This included the design of accounting and verification procedures as well as the appointment of personnel to execute the verification and accounting process at the various depots where the weapons were stored.

2. Execution phase

This consisted of the verification and accounting of weapons to be destroyed, the transporting thereof to the destruction facilities and the physical destruction of the weapons and spare parts.

3. Finalization phase

This includes the finalization of outstanding computer accounting transactions as well as the auditing of the whole process.

Strict physical security, verification and accounting procedures were implemented to ensure the smooth progress of the operation.

The verification and accounting consisted of the following:

(a) A weapons expert would identify the weapons aloud while removing their working parts;

(b) The serial number of the weapon was then read out aloud and captured on a computer and the weapon was marked with spray paint;

(c) Thereafter the serial number of the weapon was again read out by another person, captured on a second computer and marked with a different colour of spray paint. The computers were linked, and the program used would immediately indicate if separate weapons with the same serial number had been

identified. In such cases the weapon was marked clearly, tagged and documented and then packed;

(d) Weapons that had no serial number were detected at the first computer, tagged and documented and put back in the production line;

(e) During the process the serial numbers of the weapons earmarked for destruction were never compared with the inventory lists of the South African National Defence Force weapons. Only after destruction, the lists of destroyed weapons were compared with the inventory lists, and the latter were then amended accordingly;

(f) Once the process was completed at a specific depot, the chief verification officer would verify the correctness of the process, and only then would the weapons be transported to the destruction facility for physical destruction.

The following is a breakdown of the arms that are in the process of being destroyed:

Description	*Quantity*
7.62 mm R-1 rifles	198 506
7.62 mm R-1 rifles for paratroopers	1 326
7.62 mm R-1 heavy-barrel rifles	2 914
7.62 mm M-1 FN rifles	3 708
R-2 rifles	12 237
Bren light machine guns	3 637
Vickers machine guns	2 256
12.7 mm Browning machine guns	412
Uzzi sub-machine guns	1 259
Other small-calibre weapons (e.g., AK-47 rifles)	36 412
Total	**262 667**

Operation Rachel

Following the end of the cold war, various countries in southern Africa entered into bilateral or trilateral cooperation agreements around arms control issues. The agreements between Mozambique and South Africa perhaps have had the most success in destroying surplus weapons.

In recognition of the extent of illicit arms smuggling and the damaging effect that this was having on safety and security, Mozambique and South Africa signed an agreement to combat crime in 1995.

The agreement allows police services of the two countries to undertake joint operations in response to common safety and security problems.

Many of the weapons used in these conflicts have since made their way to South Africa, where there is strong demand for them by criminal elements. Yesterday's weapons of war and political liberation in Mozambique have become today's weapons of crime and violence in South Africa.

The majority of illegal weapons are entering South Africa, smuggled by professional, organized syndicates using a variety of ingenious methods to escape detection.

In view of the fact that it is extremely difficult to infiltrate these syndicates, members of the two police services have embarked on a joint effort to increase their information-gathering capability in order to determine the exact location of arms caches within Mozambican territory.

The joint operations (known as Operation Rachel) were established to find and destroy weapons within Mozambique.

The Governments of South Africa and Mozambique made sure that common ground was defined before operations commenced. It was explicitly recognized that the security challenge emerging from the illegal flow of firearms into South Africa and the potential of existing arms caches to disrupt rural safety in Mozambique should be put above any political agenda for South Africa. It was important that caches were identified and the weapons destroyed to prevent them from being smuggled into South African territory, where they fuelled violent crime.

For Mozambique, rural safety, the eradication of violence and the general disarmament of former liberation members in the rural areas were the main aims.

One of the characteristics of the operations undertaken as part of Operation Rachel is that they have been intelligence-driven. It was agreed that both the Mozambican and South African police services would gather information about cache locations. A team consisting of Mozambican and South African police would destroy the weapons on-site.

South Africa funded the bulk of the cost of the operation and provided expertise on the disposal and destruction of weapons and explosives until 1999. During 1999 and 2000 the Belgian Government and the European Union funded Operation Rachel.

Since the Operation Rachel initiative was launched on 11 August 1995, 11 such operations have been carried out.

During the earlier phase of Operation Rachel, large-scale annual operations were carried out, but in 1999 it was decided that a change in strategy was required because of financial constraints and for reasons of effectiveness.

In 1999 small-scale operations were carried out with varying degrees of success. Up until June 2000, six such operations were carried out.

A summary of weapons, explosives, ammunition and explosive ordnance recovered during Operation Rachel up to July 2000 (Rachel VI (3)) is as follows:

Operation Rachel: consolidated statistics

Category type	*Quantity*
Handguns	671
Sub-machine guns	2 366
Rifles	11 627
Light/heavy machine guns	910
Mortars	179
Launchers	258
Cannons/guns	27
Small arms ammunition (7-14.5 mm)	276 122
25 mm signal flares and other	3 226 747
Cannon/gun ammunition (20-140 mm)	2 551
Mortar bombs	6 740
Projectiles/rockets/missiles	6 545
Boosters/rocket motors	1 184
Initiators/fuses	4 068
Grenades	6 875
Anti-personnel mines	1 572
Anti-vehicle mines	94
Demolition mine/charges	2
Explosives	209 (kg)
Safety fuses/detonating igniter cords	2 536 (meters)
Detonators	926
Magazines	8 404

Sweden

[Original: English]
[19 April 2000]

Sweden has in place a policy of continuous destruction of surplus small arms. Directives for the continuous destruction of surplus weapons are laid down in communication FM 1995-11-06 HKV 14 800:801 45. Between 1989 and 1999, this destruction programme resulted in rendering useless 172,200 small arms, as follows:

- 5,100 medium machine guns (m/36);
- 1,400 medium machine guns (m/42);
- 1,000 light machine guns (m/21, m/37);
- 12,900 sub-machine guns (m/37-39);
- 18,300 sub-machine guns (m/45);
- 1,100 automatic rifles (m/42);
- 70,800 pistols (m/07);
- 55,800 pistols (m/40);
- 5,800 flare pistols (18-65).

Destruction is carried out by a process of fragmenting, except in the case of pistols (m/07), which have been subjected to melting.

Tunisia

[Original: Arabic]
[30 May 2000]

There is no illicit trade in small arms and light weapons in Tunisia. The relevant regulations restrict all circulation of such weapons among citizens except as provided for by law.

All acquisition of such weapons is subject to prior authorization by the Ministry of the Interior under the conditions established by Act No. 33 of 12 June 1969 and Decree No. 60 of 21 February 1970.

As for the manufacture of light weapons, this activity is non-existent in Tunisia.

Tunisia supports international and regional initiatives to combat this problem. This can be done through the exchange of information and expertise mentioned in paragraphs 1 and 2 of General Assembly resolution 54/54 R.

Annex II

Activities of civil society

1. During the consultations the Department for Disarmament Affairs was made aware of a number of activities dealing with or related to illicit trafficking in small arms that were organized or sponsored by various representatives of civil society. A number of the activities either included government representatives or were sponsored or supported by States.[1]

2. In their efforts to gauge the magnitude and scope of illicit small arms trafficking, representatives of civil society collected data on illicit trafficking and related issues, sometimes with the sponsorship or support of States. To cite several examples, the Stockholm International Peace Research Institute (SIPRI), with support from the Swedish Ministry of Foreign Affairs, launched a three-year project on small arms on 1 January 2000. The project, designed to make use of SIPRI's comparative advantage in collecting empirical data on armaments, will focus on the relevance of small arms transfers and seek to identify the data that are needed for a better understanding of the small arms issue and how it could be collected. A limited archiving and database system based on open sources will be established to support the project, which is integrated within the SIPRI Arms Transfers project.[2] The Oslo-based Norwegian Initiative on Small Arms Transfers (NISAT) has over the past year begun to develop an on-line, Internet-accessible database of small arms production and transfers which includes news articles, governmental and other reports on illicit arms trafficking to, from or through a country.[3] With support from Switzerland and other interested Governments, the Graduate Institute of International Studies in Geneva in 1999 established a new project, an annual Small Arms Survey, one of whose objectives is to function as the principal source of impartial public information on all aspects of small arms proliferation.[4] The first edition of the Survey is expected to be published in early 2001.[5] The regional small arms reduction project (TCP-TIP) of the Pretoria-based Institute for Security Studies (ISS) focuses on research into the status of arms flows across borders in southern Africa and the impact of the increased availability of small arms on the culture of violence in rural and urban communities of the southern African region. The project, funded by the Netherlands, Norway, Sweden, Switzerland and other Governments, maintains a specialized small arms database at ISS[6] ISS is also the research branch of Southern African Regional Police Chiefs Cooperating Organization (SARPCCO) and the Eastern African Regional Police Chiefs Conference (EARPCCO) and is already coordinating support to the Central African Regional Police Chiefs Conference (CARPCCO) and the West African Regional Police Chiefs Conference (WARPCCO).[7] The Bonn International Centre for Conversion (BICC) has developed an on-line database on surplus weapons events that includes information on the transfer, collection and disposal of small arms.[8] The Bangkok-based Non-violence International South-East Asia (NISEA) is in the process of assessing laws in the region relating to arms brokers and their activities.[9]

Seminar entitled "Controlling Small Arms and Light Weapons Flows from and through an Enlarged European Union: Developing a Joint Action Programme for European Union and Candidate Countries", hosted by the Institute of Public Affairs (Warsaw), Saferworld (London) and the Polish Ministry of Foreign Affairs, Warsaw, 17-18 March 2000

3. Representatives of a number of European Union members and candidate countries,[10] representatives of NGOs and academic institutions,[11] together with observers from the Russian Federation, Switzerland, Ukraine, the United States of America and the Organization for Security and Cooperation in Europe (OSCE), participated in the Warsaw seminar, which focused on three themes: (a) combating illicit arms trafficking in an enlarged European Union (EU) and developing coordinated approaches towards international efforts to combat illicit trafficking in small arms in all its aspects; (b) implementing the EU Code of Conduct of Arms Exports[12] across Europe prior to EU enlargement; and (c) enhancing transparency, information exchange, consultation and democratic accountability on arms flows in an enlarged EU.

4. In the Warsaw Call for Action, the participants agreed on the importance of strengthening and deepening cooperation between EU member States and candidate countries on efforts to: (a) combat illicit

arms trafficking and enhance measures to regulate legal arms transfers; (b) strengthen regional cooperation to increase the effectiveness of their efforts to control arms and combat illicit arms trafficking through and from their territories; and (c) identify the capacity-building needs of candidate countries and the means by which assistance can be directed towards meeting those needs. They also agreed to support action to strengthen the partnership between EU member States and candidate countries, and other relevant partners, in identifying and adopting best practices in the following areas: (a) arms stockpile management and security; (b) destruction and disposal (including responsible transfers) of surplus, decommissioned and confiscated weaponry; (c) strengthening end-use controls in all their aspects; (d) further development of the EU Code of Conduct and its operation; (e) improving accountability and transparency in relation to production, transfers and holdings of arms; (f) information exchange and consultations, on both political and expert levels; and (g) marking, record keeping and tracing of small arms and light weapons.

5. The participants further agreed to call upon the EU Conventional Arms Exports Working Group (COARM) to consider the establishment and development of mechanisms to: (a) develop the exchange of information on principles and criteria of the EU Code of Conduct in relation to specific destinations (including information and consultation to enhance assessments of risk associated with the implementation of each of the criteria of the Code); (b) circulate information to candidate countries on destinations, transit routes and end users of concern; and (c) provide information that would facilitate the implementation and observance of existing arms embargoes. COARM was also called upon to consider the feasibility of providing information relating to denials and denial procedures to candidate countries. The participants furthermore called upon COARM, the EU Global Disarmament and Arms Control Working Group (CODUN) and individual EU member States to consider how to enhance and develop information exchange and consultative processes relating to future arms embargoes and the development of common positions in international forums.[13]

Conference entitled "Improving Human Security through the Control and Management of Small Arms", Arusha, United Republic of Tanzania, 23-25 March 2000

6. The Arusha Conference was hosted by the Nairobi-based NGO International Resource Group and the subregional organization East Africa Cooperation (EAC) in conjunction with the Norwegian Initiative on Small Arms Transfers (NISAT). Among the recommendations which emerged from the meeting, the participants recommended: (a) the harmonization of legislation and practice regarding gun control in cattle-rustling areas within the East African region; (b) the compilation of statistics regarding the cost in human lives, property and losses to the national economy resulting from the illegal use of firearms; (c) the encouragement of greater cooperation between police and communities so that people might volunteer to surrender guns; (d) the assumption of a lead role by EAC in assisting member States in harmonizing gun laws and policies, which should be regional rather than national in character; (e) the creation of an advisory committee/group from the region with a well-defined mandate that would include the close monitoring of the implementation of the Nairobi Declaration on the Problem of the Proliferation of Illicit Small Arms and Light Weapons in the Great Lakes Region and the Horn of Africa;[14] and (f) the organization of a joint meeting of senior security agents, customs officials and immigration officers in the region, under the auspices of EAC and the United Nations African Institute for the Prevention of Crime and the Treatment of Offenders (UNAFRI), to strengthen regional cooperation in combating the illicit circulation and trafficking of small arms.

Round Table entitled "Small Arms — Large Measures: Curbing Arms Transfers as a Conflict Prevention Strategy in the South Caucasus", Tbilisi, 15-16 April 2000

7. The Tbilisi Round Table, sponsored by the Ministry of Foreign Affairs of Austria, was organized by the policy think tank EastWest Institute (New York) in close partnership with Saferworld (London). Participants generally recognized that the uncontrolled proliferation and illicit trafficking of small arms was fuelling crime, exacerbating conflict and undermining development in the South Caucasus. They also noted that more transparency was needed on the legal trade

and production of small arms in the region. Additionally, participants discussed a large number of proposals for addressing the problem of small arms proliferation in the region. With a view to strengthening legal controls on the accumulation and transfer of small arms, the participants proposed to seek agreement among Governments in the region to limit transfers of small arms to States and to develop a regional small arms register and/or regular information exchange mechanisms between Governments at the subregional level (i.e., monthly exchange of information on small arms destroyed). On enhancing the operational capacity of Governments to combat illicit arms trafficking, the participants proposed to improve marking, record keeping and tracing and to build the capacity of border guards, customs, police and the judiciary to detect and prosecute criminals engaged in illicit trafficking. Proposals to remove and destroy surplus weapons and seizures of illicit arms included the collection and destruction of surplus military weapons and the destruction of illicit weapons seized by the police and military. Proposals to reform the security sector include the suggestion to invite OSCE to help establish democratic control and oversight of military, paramilitary and police forces in the region as part of a wider programme of democratic institution-building.

8. Three frameworks for developing some of the above proposals emerged from the Roundtable discussion: (a) development of small arms initiatives as a sub-component of a "Stability Pact for the Caucasus" (proposed recently by the Government of Turkey); (b) development of small arms initiatives within an integrated small arms action programme for the Caucasus (similar to programmes in southern Africa, East Africa and Central and Eastern Europe); and (c) development of small steps within a subregional framework (i.e., Armenia, Azerbaijan and Georgia working as a triad within the NATO/EAPC process).[15] There was general agreement among the participants that a combination of the second and third options offered the best way forward in the short-term. A suggestion by the EastWest Institute and Saferworld to organize at least one follow-on seminar to develop these ideas further (with an offer to hold such a seminar in Armenia) was met with approval.[16]

Washington Communiqué of the Eminent Persons Group on Curbing Illicit Trafficking in Small Arms and Light Weapons in All Its Aspects, Washington, D.C., 2-4 May 2000

9. Members of the Eminent Persons Group,[17] an independent international commission, met in Washington from 2 to 4 May 2000 under the co-chairmanship of President Alpha Oumar Konare of Mali and former French Prime Minister Michel Rocard with the aim of advancing elements of a plan of action for the 2001 Conference. The objective of the Group is to prevent the proliferation of illicit small arms by applying a cooperative regulatory approach to licit small arms transfers, both commercial and non-commercial. Within that overall objective, the goal is to curb the illicit trafficking in small arms by reducing diversion from the illicit trade. In its Washington Communiqué of 4 May 2000, the Eminent Persons Group called for a cooperative regulatory approach to focus on all aspects of small arms transfers, government as well as commercial, licit as well as illicit. The aim of such an approach was to promote a small arms control regime based upon preventive measures (e.g., small arms register, strengthened national controls, including import and export regulation, and an international code of conduct) and reduction measures (e.g., weapons collection and reconstruction programmes and conflict prevention strategies).[18]

First Central American Forum on the Proliferation of Light Weapons, La Antigua, Guatemala, 27-29 June 2000

10. A group of nine partner NGOs from Central America organized the First Central American Forum on the Proliferation of Light Weapons from 27 to 29 June at La Antigua, Guatemala. The Forum brought together government officials, NGOs, ex-combatant groups, police forces, political parties, the church and others to discuss the problem of weapons proliferation in the region and to seek solutions to common problems. Funding for the Forum was provided by the Government of Norway, Switzerland and the United Kingdom as well as the Ford Foundation and the Rosengarten-Horowitz Fund.

11. The participants adopted the Antigua Declaration on the Proliferation of Light Weapons in the Central American Region, in which they committed themselves, inter alia: (a) to invite the international

community to establish harmonized controls on the legal trade in weapons according to existing international standards of human rights and humanitarian law and, in this regard, to support the initiative of the Commission of Nobel Peace Laureates to establish an international code of conduct on arms transfers;[19] (b) to consider the implementation of a moratorium on the export and import of all weapons to and from the Central American region, similar to the one currently in force among the Economic Community of West African States (ECOWAS); (c) to develop joint projects with diverse sectors of society to implement integrated and permanent voluntary weapons collection programmes, as well as other efforts to minimize the ownership and possession of weapons; and (d) to assure that the proper authorities prevent the recirculation of decommissioned weapons through strict controls on their storage and, whenever possible, through their destruction.[20]

"Ecumenical Consultation on Small Arms in Latin America", sponsored by the World Council of Churches (WCC) in collaboration with the Latin American Council of Churches (CLAI) and in partnership with the local NGO "Viva Rio", Rio de Janeiro, Brazil, 25-28 July 2000

12. The Rio Consultation was organized by WCC, CLAI and Viva Rio as part of their joint efforts to give priority to issues of micro-disarmament within the context of the Decade to Overcome Violence: Churches Seeking Reconciliation and Peace (2001-2010) and to facilitate and encourage the ongoing attention of churches to the small arms problem. The aims of the consultation were: (a) to develop a regional action plan to tackle armed violence and the unlawful use of small arms; (b) to create a regional ecumenical network (related to both the Ecumenical Network on Small Arms and the International Action Network on Small Arms); and (c) to prepare churches' participation in the 2001 Conference.[21]

13. In a Final Statement, the Consultation noted that while the solutions to the problems posed by small arms in Latin America must be local, attempts to forge international norms and standards for restricting weapons transfers, possession and use were essential to setting a constructive context for local efforts. Thus the Consultation welcomed the OAS Convention,[22] the draft Firearms Protocol to the United Nations Convention against Transnational Organized Crime,[23] and the forthcoming 2001 Conference. The Consultation also endorsed the initiative of the Nobel Peace laureates to promote an international code of conduct on international arms transfers (see para. 11 above).

14. In addition, the Consultation urged Latin American churches to encourage their Governments to ratify and implement the OAS Convention, to support negotiations on the Firearms Protocol to promote the most effective controls possible and to participate in the 2001 Conference. Prominent among the measures discussed was the need for security sector reform. Particular concern was expressed with regard to the rapid growth in the use of private security firms. The Consultation called for the reassertion of publicly accountable security institutions under the direct authority of States. It was also felt that the churches of the region were well positioned to take a leadership role in efforts to raise awareness of the nature and extent of the small arms problem and of the urgent need for gun control measures.[24]

Notes

[1] A number of upcoming NGO workshops and meetings on small arms are listed under the "Upcoming Events" section (http://www.un.org/Depts/dda/CAB/events.htm) of the home page of the Conventional Arms Branch of the Department for Disarmament Affairs (http://www.un.org/Depts/dda/CAB/index.htm).

[2] "Conflicts and Small Arms Transfers", as part of the SIPRI Arms Transfers Project, 5 April 2000 (http://projects.sipri.se/armstrade/smarm.html).

[3] See www.nisat.org.

[4] See www.smallarmssurvey.org.

[5] See www.smallarmssurvey.org.

[6] ISS regional small arms reduction project (TCP-TIP) (http://www.iss.co.za/Projects/Amp/tcp.tip.html). See also the ISS home page (http://www.iss.co.za/) and, in particular, the report of the Regional Police Officers Seminar on the Proliferation of Illegal Firearms in Southern Africa, sponsored by the Interpol Subregional Bureau for Southern Africa and hosted by ISS on 17 and 18 July 2000 (http://www.iss.co.za/projects/Amp/Fireworks.html).

[7] Report of the First Continental Meeting of African Experts on Small Arms and Light Weapons, 17-19 May 2000, para. 12 (http://www.un.org/Depts/dda/CAB/oaumay2000.pdf).

[8] See http://www.igc.org/nonviolence/niseasia/.

[9] See http://www.igc.org/nonviolence/niseasia.

[10] Bulgaria, Estonia, Finland, France, Germany, Hungary, Latvia, Netherlands, Poland, Portugal, Slovakia, Slovenia, Sweden, Switzerland, United Kingdom of Great Britain and Northern Ireland and Ukraine.

[11] Amnesty International Slovenia, British American Security Information Council (BASIC), Centre for Defence Studies (United Kingdom), Creative Futures (United Kingdom); Institute of Public Affairs (Poland); International Alert (United Kingdom), Jagiellonian University (Poland), Kerametal Ltd. (Slovakia), OSCE Conflict Prevention Centre, Polish Red Cross, Saferworld (United Kingdom), Sopiou University (Hungary), SIPRI.

[12] See annex I to the present report.

[13] Further information on the Seminar may be found at the home page of Saferworld (http://www.saferworld.co.uk/newsandviews/warsawPR.html).

[14] A/54/860-S/2000/385 (http://www.un.org/Depts/dda/CAB/sclet385e.pdf).

[15] See main document, para. 60.

[16] The summary of outcomes of the Round Table was supplied by the EastWest Institute (http://www.iews.org/EWI/EuroSecurity.nsf).

[17] Co-Chairs, Alpha Oumar Konare and Michel Rocard; Co-Chair for the Washington Convocation, P. V. Narasimha Rao; Celso Amorim, Jonathan Dean, Mitsuro Donowaki, Rolf Ekeus, William Eteki, Nabil Fahmy, Diane Feinstein, Thomas Graham, Imran Khan, Andrey Kozyrev, Peggy Mason, Robert S. McNamara, Sola Ogunbanwo, David Owen, Mohamed Sahnoun, Salim Ahmed Salim, and Eduard Shevardnadze.

[18] See http://www.geocities.com/eminentpersonsgroup/epg1.html.

[19] A/54/766-S/2000/146 (http://www.un.org/Depts/dda/CAB/let54766e.pdf.

[20] For more background (in Spanish), see http://www.arias.or.cr/fundarias/cpr/armasliv.

[21] World Council of Churches press feature, "Efforts to overcome armed violence and control small arms possession and sales gather momentum", 7 August 2000 (http://www.wcc-coe.org/wcc/news/press/00/08feat-e.html).

[22] A/53/78; see also main document, para. 43.

[23] A/AC.254/4/Add.2/Rev.5.

[24] For the text of the Final Statement, see http://wcc-coe.org/wcc/what/international/brazilfinal.html. For further background, see http://wcc-coe.org/wcc/what/international/disarm.html.

Annex III

Questionnaire transmitted by the Department for Disarmament Affairs to regional groups and organizations, research institutes and non-governmental organizations

1. How would you assess the magnitude and scope of the phenomenon of illicit trafficking in small arms?

- Estimates of the number and types of weapons in circulation.
- Original sources of procurement.
- National regulations for the ownership of private weapons.
- National arrangements for control of transboundary traffic in contraband goods (e.g., guns, drugs, precious stones).
- Linkages between crime, violence and illicit arms traffic.
- Areas which have become conduits for illicit arms transfers.
- Information available about illicit arms transfers in violation of arms embargoes, national regulations, or bilateral or other arrangements for controlling of transboundary movement in contraband goods.

2. In your estimation, what are possible measures for combating illicit trafficking in and illicit circulation of small arms — including measures suited to indigenous regional approaches — and how can they be implemented?

- Moratoria on the importation, exportation and manufacture of small arms and light weapons (such as the ECOWAS moratorium).
- Local and national destruction of all surplus small arms.
- Establishment of national, subregional and regional registers of small arms.
- Training and technical support for customs officials, border police and other authorities responsible for controlling arms transactions.
- Measures against mercenaries/private security companies.
- Measures to control arms brokers and shipping agents.
- Measures to register air cargo companies and certify their shipments.
- Submission of flight plans of arms transport firms.
- Legislation against the use of false end-user certificates, shipping documents, cargo manifests and flight plans as a crime under national law.
- Other measures.

3. In your view, what is the role of the United Nations in collecting, collating, sharing and disseminating information on illicit trafficking in small arms?

- Identify areas of heavy geographical concentration of weapons supplied during the cold war.
- Identify known "weapons pipelines" and modalities of illicit arms trafficking.

- Maintain a publicly available register on small arms and light weapons.
- Provide technical and financial expertise for the conversion or destruction of surplus stocks of weapons.
- Provide technical expertise and advisory assistance in the elaboration of subregional and regional registers by appropriate subregional and regional organizations.
- Publicly identify international arms merchants and their activities.
- Publish lists of authorized arms trading companies.
- Develop an international standard for the marking of weapons and ammunition.
- Develop an international standard for an end-user certificate which cannot be forged.
- Publish information on violations of end-user certificate provisions, including names of companies, countries and individuals involved in unauthorized retransfer of weapons to third parties.
- Other measures.